



# code of federal regulations

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**The President**

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**1995 COMPILATION**

**AND**

**PARTS 100-102**

**Revised as of January 1, 1996**

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# Title 3 Compilations

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Beginning with 1976, Title 3 Compilations also include regulations contained in Chapter I, Executive Office of the President.

Supplementary publications include: Presidential documents of the Hoover Administration (two volumes), Proclamations 1870-2037 and Executive Orders 5076-6070; Consolidated Indexes for 1936-1965; and Consolidated Tables for 1936-1965.

# Explanation of the Code of Federal Regulations

The *Code of Federal Regulations* is a codification of the general and permanent rules published in the *Federal Register* by the Executive departments and agencies of the Federal Government. The Code is divided into 50 titles which represent broad areas subject to Federal regulation. Each title is divided into chapters which usually bear the name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas.

## ISSUE DATES

Each volume of the Code is revised at least once each calendar year and issued on a quarterly basis approximately as follows:

Title 1 through Title 16.....	as of January 1
Title 17 through Title 27.....	as of April 1
Title 28 through Title 41.....	as of July 1
Title 42 through Title 50.....	as of October 1

The appropriate revision date is printed on the cover of each volume.

## LEGAL STATUS

The contents of the *Federal Register* are required to be judicially noticed (44 U.S.C. 1507). The *Code of Federal Regulations* is prima facie evidence of the text of the original documents (44 U.S.C. 1510).

## HOW TO USE THE CODE OF FEDERAL REGULATIONS

The *Code of Federal Regulations* is kept up to date by the individual issues of the *Federal Register*. These two publications must be used together to determine the latest version of any given rule.

To determine whether a Code volume has been amended since its revision date (in this case, January 1, 1996), consult the *List of CFR Sections Affected* (LSA), which is issued monthly, and the "Cumulative List of Parts Affected," which appears in the Reader Aids section of the daily *Federal Register*. These two lists will identify the *Federal Register* page number of the latest amendment of any given rule.

## EFFECTIVE AND EXPIRATION DATES

Each volume of the Code contains amendments published in the *Federal Register* since the last revision of that volume of the Code. Source citations for the regulations are referred to by volume number and page number of the *Federal Register* and date of publication. Publication dates and effective dates are usually not the same and care must be exercised by the user in determining the actual effective date. In instances where the effective date is beyond the cut-off date for the Code a note has been inserted to reflect the future effective date. In those

instances where a regulation published in the *Federal Register* states a date certain for expiration, an appropriate note will be inserted following the text.

## OMB CONTROL NUMBERS

The Paperwork Reduction Act of 1980 (Pub. L. 96-511) requires Federal agencies to display an OMB control number with their information collection request. Many agencies have begun publishing numerous OMB control numbers as amendments to existing regulations in the CFR. These OMB numbers are placed as close as possible to the applicable recordkeeping or reporting requirements.

## OBSOLETE PROVISIONS

Provisions that become obsolete before the revision date stated on the cover of each volume are not carried. Code users may find the text of provisions in effect on a given date in the past by using the appropriate numerical list of sections affected. For the period before January 1, 1986, consult either the "List of CFR Sections Affected, 1949-1963, 1964-1972, and 1973-1985," published in three separate volumes. For the period beginning January 1, 1986, a "List of CFR Sections Affected" is published at the end of each CFR volume.

## CFR INDEXES AND TABULAR GUIDES

A subject index to the *Code of Federal Regulations* is contained in a separate volume, revised annually as of January 1, entitled *CFR Index and Finding Aids*. This volume contains the Parallel Table of Statutory Authorities and Agency Rules (Table I), and Acts Requiring Publication in the Federal Register (Table III). A list of CFR Titles, Chapters, and Parts and an alphabetical list of agencies publishing in the CFR are also included in this volume.

An index to the text of "Title 3—The President" is carried within that volume.

The *Federal Register Index* is issued monthly in cumulative form. This index is based on a consolidation of the "Contents" entries in the daily *Federal Register*.

A *List of CFR Sections Affected* (LSA) is published monthly, keyed to the revision dates of the 50 CFR titles.

## REPUBLICATION OF MATERIAL

There are no restrictions on the republication of material appearing in the *Code of Federal Regulations*.

## INQUIRIES AND SALES

For a summary, legal interpretation, or other explanation of any regulation in this volume, contact the issuing agency. Inquiries concerning editing procedures and reference assistance with respect to the Code of Federal Regulations may be addressed to the Director, Office of the Federal Register, National Archives and Records Administration, Washington, D.C. 20408 (telephone 202-523-3517). Sales are handled exclusively by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402 (telephone 202-783-3238).

RICHARD L. CLAYPOOLE

Director,

Office of the Federal Register.

January 1, 1996.

# Explanation of This Title

This volume of “Title 3—The President” contains a compilation of Presidential documents and a codification of regulations issued by the Executive Office of the President.

The 1995 Compilation contains the full text of those documents signed by the President that were required to be published in the *Federal Register*. Signature date rather than publication date is the criterion for inclusion. With each annual volume, the Presidential documents signed in the previous year become the new Compilation.

Chapter I contains regulations issued by the Executive Office of the President. This section is a true codification like other CFR volumes, in that its contents are organized by subject or regulatory area and are updated by individual issues of the *Federal Register*.

Presidential documents in this volume may be cited “3 CFR, 1995 Comp.” Thus, the preferred abbreviated citation for Proclamation 6764, appearing on page 1 of this book, is “3 CFR, 1994 Comp., p. 1.” Chapter I entries may be cited “3 CFR.” Thus, the preferred abbreviated citation for Section 100.735–1, appearing in Chapter I of this book, is “3 CFR 100.735–1.”

This book is one of the volumes in a series that began with Proclamation 2161 of March 19, 1936, and Executive Order 7316 of March 13, 1936, and that has been continued by means of annual compilations and periodic cumulations. The entire Title 3 series, as of January 1, 1996, is encompassed in the volumes listed on page iv.

For readers interested in proclamations and Executive orders prior to 1936, there is a two-volume set entitled *Proclamations and Executive Orders, Herbert Hoover* (March 4, 1929, to March 4, 1933). Codified Presidential documents are published in the *Codification of Presidential Proclamations and Executive Orders* (April 13, 1945—January 20, 1989). Other public Presidential documents not required to be published in the *Federal Register*, such as speeches, messages to Congress, and statements, can be found in the *Weekly Compilation of Presidential Documents* and the *Public Papers of the Presidents* series. Each of these Office of the Federal Register publications is available for sale from the Superintendent of Documents, Government Printing Office, Washington, DC 20402.

This book was prepared in the Presidential Documents and Legislative Division by Carolyn Wood Hill, John C. Ashlin, Rachel Rondell, and Edward Brooks.

## Would you like to know...

**if any changes have been made to the Code of Federal Regulations or what documents have been published in the Federal Register without reading the Federal Register every day? If so, you may wish to subscribe to the LSA (List of CFR Sections Affected), the Federal Register Index, or both.**

**LSA**

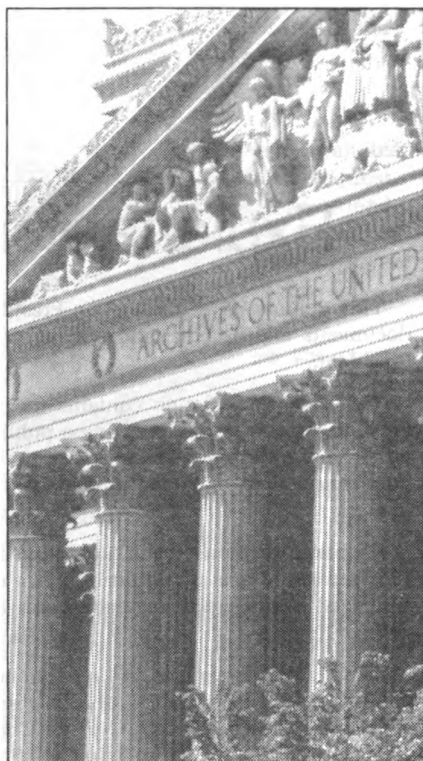
The LSA (List of CFR Sections Affected) is designed to lead users of the *Code of Federal Regulations* to amendatory actions published in the *Federal Register*. The LSA is issued monthly in cumulative form. Entries indicate the nature of the changes—such as revised, removed, or corrected.

## Federal Register Index

The index, covering the contents of the daily *Federal Register*, is issued monthly in cumulative form. Entries are carried primarily under the names of the issuing agencies. Significant subjects are carried as cross-references.

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**Cite Presidential documents in this volume**  
**3 CFR, 1995 Comp.**  
**thus: 3 CFR, 1995 Comp., p. 1**

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**Cite Chapter I entries in this volume**  
**3 CFR**  
**thus: 3 CFR 100.735-1**

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# 1995 Compilation— Presidential Documents

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## PROCLAMATIONS

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**Proclamation 6764 of January 11, 1995**

**National Good Teen Day, 1995**

*By the President of the United States of America*

*A Proclamation*

For many of the 24 million teenagers in the United States today, the future can seem uncertain and distant. Confronted with challenges the likes of which their parents could scarcely have imagined, many of our young people are too busy with the trials of daily life to spend much time hoping and dreaming. But empowered with the courage to try, all teens—even those who may feel troubled and lost—have the potential to succeed.

The choices teens make today will determine the future for all of us, and we must strive to set an example of hard work and responsible behavior. On the occasion of National Good Teen Day, we pause to recognize the teens who set just such an example for their peers—young people who make invaluable contributions to our society, bringing their remarkable talents and energies to bear in their studies and activities, in caring for their families and friends, and in helping their communities. We can learn a lot from these youth, from the creativity, optimism, and resilience that enable them to navigate the complex path to adulthood.

In return for all they give, teens need our understanding, compassion, and love. They require our attention, and they deserve our respect. America's young people have so much to look forward to, so much to share with our world. With firm guidance and gentle reassurance, we can help teenagers to recognize their strengths and realize their dreams.

In celebration of teens throughout the Nation, the Congress, by Public Law 103-463, has designated January 16, 1995, as "National Good Teen Day" and has authorized and requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim January 16, 1995, as National Good Teen Day. I urge all Americans to observe this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of January, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6765 of January 11, 1995**

### **Martin Luther King, Jr., Federal Holiday, 1995**

*By the President of the United States of America*

*A Proclamation*

As long as there is poverty in the world I can never be rich, even if I have a billion dollars. . . . I can never be what I ought to be until you are what you ought to be. This is the way our world is made. No individual or nation can stand out boasting of being independent. We are interdependent.

With resolution and eloquence, Dr. Martin Luther King, Jr., stirred people around the globe to action. He dedicated his life to ending the oppression of racism, and his vision of a nation driven by love instead of hate changed our world forever. We are all the beneficiaries of his legacy, and we are grateful.

Dr. King taught that the goals of civil rights are not merely the goals of any specific group—they are the goals of our Nation. To give people opportunity, to treat them with fairness, and to distinguish them only by their potential—we will continue to work toward these goals as long as people in this Nation are in need of housing, medical care, and subsistence. We will continue to work as long as neighborhoods are ravaged by drugs and violence. We will continue to work as long as any person, because of circumstance of birth, is granted anything less than the full measure of his or her dignity.

Three decades have passed since Dr. King stood in front of the Lincoln Memorial and told the world of his dream for a future in which our children are judged “not by the color of their skin, but by the content of their character.” Today, with an entire generation of voting Americans who did not witness firsthand the great civil rights victories of the 1960s, it is more important than ever to remind the Nation about Dr. King and his inestimable gifts to this country, so that all of us continue to grow in our commitment to justice and equality.

This year, the Martin Luther King, Jr., holiday is celebrated with a national day of service, a call to join together in purpose and care for one another. On this occasion, I urge the citizens of this great country to reflect upon Dr. King’s teachings and to take positive and life-affirming action in his memory. Give back to your community, help the homeless, feed the hungry, attend to the sick, give to the needy. In whatever way you choose to

serve the public good, do something to make life better for the people around you. As Dr. King said on many occasions, "Life's most persistent and urgent question is, 'What are you doing for others?'"

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim January 16, 1995, as the "Martin Luther King, Jr., Federal Holiday."

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of January, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6766 of January 17, 1995**

### **Year of the Grandparent, 1995**

*By the President of the United States of America*

#### *A Proclamation*

The American family has undergone dramatic changes in the past few decades. Families have felt the effects of a rising divorce rate, declining birth rate, and an increasingly fast-paced and complicated economy. At the same time, Americans are living longer, retiring younger, and taking advantage of more leisure hours than ever before. Today, approximately 60 million grandparents in the United States look forward to spending time with their families and to enjoying their much-deserved respite.

Despite the many changes, grandparents remain an important source of knowledge and stability in American families. Grandparents help us understand the past and encourage us to hope for the future. They preserve and strengthen the values we hold most dear—compassion and generosity, responsibility and tradition. These relationships between generations have always been central to the happiness and well-being of young and old alike.

Households made up of several generations have increased by more than 50 percent in the past 25 years, and today, some 3.4 million children live in a household headed by a grandparent. For parents struggling with issues including substance abuse or teenage pregnancy, divorce or separation, grandparents can be invaluable resources of compassion. For children who are abused or neglected, grandparents can be lifesavers. All too often, grandparents embrace these tremendous responsibilities because no one else is able. But they also do so out of love, out of the wisdom that comes from a lifetime spent learning the importance of family. For all they teach us and for all they give, we pledge this year to honor grandparents everywhere.

The Congress, by Public Law 103–368, has designated 1995 as the "Year of the Grandparent" and has authorized and requested the President to issue a proclamation in observance of this year.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim 1995 as the Year of the Grandparent.

I invite Federal officials, local government, advocacy groups, and families across the United States to join in commemorating the many contributions that grandparents make and in observing this year with appropriate ceremonies, programs, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of January, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6767 of February 3, 1995**

## **To Amend the Generalized System of Preferences**

*By the President of the United States of America*

### *A Proclamation*

1. Pursuant to sections 501 and 502 of the Trade Act of 1974, as amended ("trade Act") (19 U.S.C. 2461 and 2462), and having due regard for the eligibility criteria set forth therein, I have determined that it is appropriate to designate Armenia as a beneficiary developing country for purposes of the Generalized System of Preferences (GSP).

2. Pursuant to section 504(f) of the Trade Act (19 U.S.C. 2464(f)), I have determined that the per capita gross national product of The Bahamas has exceeded the applicable limit provided for in section 504(f). Accordingly, pursuant to section 504(a) of the Trade Act (19 U.S.C. 2464(a)), I have determined that it is appropriate to suspend the designation of The Bahamas as a beneficiary developing country for purposes of the GSP, and pursuant to section 504(f) of the Trade Act, I have determined that it is appropriate to terminate such designation.

3. Pursuant to section 504(f) of the Trade Act, I have determined that the per capita gross national product of Israel has exceeded the applicable limit provided for in section 504(f). Accordingly, I have determined that it is appropriate to terminate the designation of Israel as a beneficiary developing country for purposes of the GSP.

4. Section 604 of the Trade Act (19 U.S.C. 2483) authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTS) the substance of the provisions of that Act, and of other acts affecting import treatment, and actions thereunder.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to sections 501, 504, and 604 of the Trade Act, do proclaim that:

(1) General note 4(a) to the HTS, listing those countries whose products are eligible for benefits of the GSP, is modified by: (a) inserting "Armenia" in alphabetical order in the list of independent countries;

(b) deleting "Bahamas, The" and "Israel" from the list of independent countries; and

(c) deleting "Bahamas, The" from the list of Member Countries of the Caribbean Common Market, and amending the heading of that list to read "Member Countries of the Caribbean Common Market (CARICOM), except The Bahamas".

(2) General note 4(d) to the HTS is modified as provided in Annex I to this proclamation.

(3) Any provisions of previous proclamations and Executive orders inconsistent with the provisions of this proclamation are hereby superseded to the extent of such inconsistency.

(4)(a) The modifications to the HTS made by paragraph (1)(a) of this proclamation shall be effective with respect to articles that are: (i) imported on or after January 1, 1976, and (ii) entered, or withdrawn from warehouse for consumption, on or after 15 days after the date of publication of this proclamation in the **Federal Register**.

(b) The modifications to the HTS made by paragraphs (1)(b), (1)(c), and (2) shall be effective on July 1, 1995.

IN WITNESS WHEREOF, I have hereunto set my hand thisthird day of February, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

#### ANNEX I—MODIFICATIONS to GENERAL NOTE 4(d) of the HTS

*Effective with respect to articles both: (i) imported on or after January 1, 1976, and (ii) entered, or withdrawn from warehouse for consumption, on or after July 1, 1995.*

General note 4(d) is modified by:

(a) deleting the following HTS subheadings and the country set out opposite such subheadings:

3909.10.00 ....	Israel	8419.90.10 ....	Israel
4011.91.50 ....	Israel	8517.30.15 ....	Israel
8419.19.00 ....	Israel		

(b) deleting the country set out opposite the following HTS subheadings:

2903.40.40 ....	Israel	2933.40.10 ....	Israel
2903.59.40 ....	Israel	7113.19.50 ....	Israel
2918.90.30 ....	Bahamas		

**Proclamation 6768 of February 10, 1995**

### **American Heart Month, 1995**

*By the President of the United States of America*

#### *A Proclamation*

Throughout history, the heart has been a symbol of health and well-being. Yet nothing now overshadows Americans' health as much as heart disease—the leading cause of death among men and women. Diseases of the heart and blood vessels kill nearly a million Americans each year, most from the effects of atherosclerosis, the narrowing and stiffening of blood vessels from the buildup of plaque that usually begins early in life.

Today, Americans are enjoying the rewards of the progress humanity has made in understanding and treating cardiovascular disease. Advances in diagnosis make it possible to see the heart beat without the use of invasive procedures. Thousands of heart attack victims are being saved by the rapid administration of drugs to dissolve blood clots. Soon, gene therapy may be able to prevent the smooth muscle cell multiplication that contributes to the narrowing of blood vessels. Perhaps most important, we have greater understanding of how to prevent the development of heart disease. By controlling blood pressure and blood cholesterol, being physically active, and not smoking cigarettes, more Americans can have the chance to lead long, healthy lives.

The Federal Government has contributed to these successes by supporting research and education through the National Heart, Lung, and Blood Institute. Through its commitment to research, its programs to heighten public awareness, and its vital network of dedicated volunteers, the American Heart Association also has played a crucial role in bringing about these remarkable accomplishments.

Yet the heart has not revealed all of its mysteries. No one knows why heart disease begins. And, while it is known that heart disease develops differently in men and women, the reasons for those variations are still being studied. About 50 million Americans continue to suffer from hypertension, a major cause of stroke, and 1.25 million Americans have heart attacks every year.

Conquering these diseases requires unwavering national and personal commitment. On the national level, the Federal Government will continue to support research into the prevention, diagnosis, and treatment of heart disease. On the personal level, Americans can take steps to prevent heart disease from striking their families, including teaching their children heart-healthy habits. Working together, we can make the tragedy of heart disease a nightmare of the past.

In recognition of the need for all Americans to become involved in the ongoing fight against cardiovascular disease, the Congress, by Joint Resolution approved December 30, 1963 (77 Stat. 843; 36 U.S.C. 169b), has requested that the President issue an annual proclamation designating February as "American Heart Month."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim February 1995 as American Heart Month. I invite the Governors of the States, the Commonwealth of Puerto Rico, officials of other areas subject to the jurisdiction of the United States, and the American people to join me in reaffirming our commitment to combating cardiovascular disease and stroke.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of February, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6769 of February 10, 1995**

**National Older Workers Employment Week, 1995**

*By the President of the United States of America*

*A Proclamation*

Today, our Nation relies more than ever on the active involvement of citizens 55 years old or older. It is estimated that more than 70 percent of these Americans work every day to keep our Nation running, contributing to all aspects of our economy and our society. And as our population continues to age, the contributions of older workers will play an increasingly important role in maintaining America's leadership in a highly competitive international marketplace.

Yet despite often impressive job qualifications, these citizens find that the search for employment becomes more difficult as they grow older. Those seeking to change careers or those struggling to find new jobs are too often confronted by employer reluctance or stereotyping. Rather than being judged on their abilities, older people sometimes face the injustice of being judged solely on their age.

But we Americans understand the meaning of fairness and the value of honest labor. Every reasonable measure of job performance tells us that older workers are at least as effective as younger employees. In many cases, their unique combinations of knowledge, skills, insight, and experience make older Americans even more effective.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim the week of March 12 through March 18, 1995, as "National Older Workers Employment Week." I urge all employers to consider carefully the qualifications of men and women 55 and older and to make use of their talents and expertise. I also encourage public officials responsible for job placement, training, and related services to intensify efforts to help older workers find suitable jobs and training.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of February, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6770 of February 15, 1995**

**National Poison Prevention Week, 1995**

*By the President of the United States of America*

*A Proclamation*

Children are the future of our country, and protecting them is America's most sacred responsibility. All of us—government leaders, citizens, parents—are bound to do whatever we can to keep them safe and healthy.



Simple safety measures—such as using child-resistant packaging correctly, locking cupboards, keeping prescriptions and cleaning supplies out of the reach of a child's hands—all can protect our most precious resource from the dangers of poison and other hazardous substances.

The U.S. Consumer Product Safety Commission (CPSC) has made great progress in safeguarding our young people by mandating child-resistant packaging for medicine and dangerous chemicals. And the invaluable work of the Nation's poison control centers has saved countless lives, both young and old. These public health efforts have reduced childhood poisoning deaths from 450 in 1961 to 62 in 1991.

However, according to the American Association of Poison Control Centers, nearly 1 million children each year are exposed to potentially poisonous medicines and household chemicals. Every year we lose children to poisoning—and almost all of these poisonings are preventable. This week—and every week—we must rededicate ourselves to informing everyone of the importance of prevention and to educating all caregivers about ways to prevent childhood poisonings.

To encourage the American people to learn more about the dangers of accidental poisonings and to take more preventive measures, the Congress, by Public Law 87-319 (75 Stat. 681), has authorized and requested the President to issue a proclamation designating the third week of March of each year as "National Poison Prevention Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim the week beginning March 19, 1995, as National Poison Prevention Week. I call upon all Americans to observe this week by participating in appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of February, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6771 of February 23, 1995**

### **Irish-American Heritage Month, 1995**

*By the President of the United States of America  
A Proclamation*

America's bounty—the abundance of the fields, the beauty of the landscape, the richness of our opportunities—has always attracted people who are in search of a better life for themselves and their children. Our democracy owes its success in great part to the countless immigrants who have made their way to our shores and to the tremendous diversity this Nation has been blessed with since its beginnings.

In March, when communities all across the country celebrate St. Patrick's Day, our Nation honors the rich heritage of the millions of Americans who trace their lineage to Ireland. Coming to this land even before our Nation

was founded, sons and daughters of Erin undertook the perilous journey to make their home in a place of hope and promise. They made inestimable contributions to their new country, both during the struggle for independence and in the founding of the Republic. Nine of the people who signed our Declaration of Independence were of Irish origin, and nineteen Presidents of the United States proudly claim Irish heritage—including our first President, George Washington.

The largest wave of Irish immigrants came in the late 1840s, when the Great Famine ravaging Ireland caused 2 million people to emigrate, mostly to American soil. These immigrants transformed our largest cities and helped to build them into dynamic centers of commerce and industry, and their contributions to our smaller cities and towns are evident today in the cultural, economic, and spiritual makeup of the communities. Throughout the country, they faced callous discrimination: “No Irish Need Apply” signs were ugly reminders of the prejudice that disfigured our society. But with indomitable spirit and unshakable determination, they persevered. They took jobs as laborers, built railroads, canals, and schools, and committed themselves to creating a brighter future for their families and their new country.

Today, millions of Americans of Irish ancestry continue to enrich all aspects of life in the United States. Irish Americans are proud to recall their heritage and their struggle for well-deserved recognition in all walks of American life. Throughout their history, they have held tightly to their religious faith, their love of family, and their belief in the importance of education. The values they brought with them from the Emerald Isle have flourished in America—and in turn these values have helped America to flourish.

In tribute to all Irish Americans, the Congress, by Public Law 103-379, has designated March 1995 as “Irish-American Heritage Month” and has authorized and requested the President to issue a proclamation in observance of this month.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim March 1995 as Irish-American Heritage Month.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of February, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6772 of February 27, 1995**

## **American Red Cross Month, 1995**

*By The President of the United States of America*

### *A Proclamation*

Every day, thousands of people in need look to the American Red Cross as a banner of hope. For disaster victims here and abroad, for service men

and women seeking assistance, and for everyone depending on a safe and ready supply of blood—the Red Cross stands prepared to respond. But the scope of its service extends well beyond the provision of emergency care. Its broader mission is clear: to promote compassion, to foster a spirit of generosity, and to improve the human condition everywhere.

Since Clara Barton—"The Angel of the Battlefield"—founded the American Association of the Red Cross in 1881, its members have been called upon to serve in war and in peace. Today, with more than 1 million dedicated and experienced volunteers, the American Red Cross plays a vital role in bringing physical and emotional comfort to those who need it most. Whether they are responding to an emergency or addressing the daily necessities of the homeless and elderly, Red Cross workers have always been models of community spirit.

Dangers to the health and safety of our people have changed radically during the past hundred years, and the Red Cross has adapted to meet these needs. Its commitment to caring for others enables us to restore hope in the lives of injured citizens, and its example challenges us to revitalize the covenant of American citizenship. The long-term strength of our Nation depends upon our willingness to live out the ideals long embodied by the American Red Cross. To celebrate our past and to safeguard our future, I am proud to commend the countless individuals whose courage and selflessness have sustained this organization for more than a century.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America and Honorary Chairman of the American Red Cross, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 1995 as "American Red Cross Month." I urge all Americans to show support for the more than 2,000 Red Cross chapters nationwide, and I challenge each of you to become active participants in advancing the noble mission of the Red Cross.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of February, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6773 of March 1, 1995**

## **Women's History Month, 1995**

*By the President of the United States of America  
A Proclamation*

Women have made inestimable contributions to our country throughout our Nation's history. Some have names we recognize. Clara Barton. Harriet Tubman. Susan B. Anthony. Eleanor Roosevelt. And Rosa Parks. But women's history is also about the countless women whose names we do not know—the millions of women of courage and commitment who have served this society as doctors and scientists, teachers and factory workers, marathoners and mothers. At home and in schools, in offices and congrega-

tions, in our Armed Forces and our communities, women have helped to build this Nation and keep it strong. It is in their honor that we pause to celebrate Women's History Month each year.

The story of women's accomplishments in America is long and proud. Patriots such as Dolly Madison and Harriet Beecher Stowe put their concern for country ahead of their own well-being in order to advance the principles of justice and freedom upon which this Nation was founded. Writers and artists such as Emily Dickinson, Georgia O'Keeffe, and Martha Graham enlivened our culture, extended our horizons, and expanded our appreciation of the world around us. And in recent decades, women have made enormous strides. The pioneers such as Jane Addams, founder of Chicago's Hull House and our first woman Nobel Prize winner, and Frances Perkins, our first woman Cabinet Officer, have paved the way for ever growing numbers of women running businesses and universities, serving as governors and diplomats, conducting orchestras and exploring space, helping to lead our land toward a new century.

Yet barriers remain. Women now work for pay in greater numbers, in more occupations, and for more years of their lives than ever before, but too many must still settle for compensation far below what it should be, and too many still find their potential curbed by glass ceilings. And women still struggle every day, in tests of resourcefulness and devotion, to balance the demands of work and family. If freedom and opportunity are truly to be the law of the land, we must sustain and renew our commitment to the principle of equality that is our American heritage and work to remove the obstacles that stand in the way.

Women's History Month offers us an opportunity to celebrate the contributions of all of the women who have enriched our Nation. I encourage Americans to learn about women's history—this month and throughout the year. Only by studying the history of America's women—their triumphs and their struggles—can we understand the history of America.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim the month of March 1995 as "Women's History Month." I ask all Americans to observe this month with appropriate programs, ceremonies, and activities, and to remember year-round the many and varied contributions that women make each day.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6774 of March 2, 1995

## Save Your Vision Week, 1995

*By the President of the United States of America*

### *A Proclamation*

Sight is a precious gift—one that we cannot afford to take for granted. To ensure that we enjoy a healthy view of the world for many years to come, all of us must make certain our eyes receive good care and attention throughout our lives.

Americans can take steps to guard their vision on a daily basis, while at home and on the job. Using face masks, goggles, or safety glasses can protect our eyes from the dangers of potentially harmful chemicals or machinery, and the appropriate protective eyewear is critical while playing sports. But perhaps the easiest and most effective way that we can protect our sight is with comprehensive eye examinations. Early eye tests can help secure good vision for our children from the start. And with regular eye exams, the threat of vision loss does not have to be a normal part of aging.

For Americans at special risk, preventive care takes on added importance. The 14 million individuals nationwide who have diabetes face the possibility of developing diabetic eye diseases, the leading cause of blindness among working-aged Americans. This condition may show no symptoms—even in advanced stages—and it must be detected as soon as possible to prevent vision loss.

Glaucoma, another potentially blinding eye disease, can be controlled when detected early. Approximately 3 million Americans suffer from this disease, which strikes silently, often without pain or noticeable symptoms. Especially at risk are African Americans age 40 and older and all people age 60 and older.

To remind Americans of how they can protect their eyesight, the Congress, by joint resolution approved December 30, 1963 (77 Stat. 629; 36 U.S.C. 169a), has authorized and requested the President to proclaim the first week in March of each year as "Save Your Vision Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim the week beginning March 5, 1995, as Save Your Vision Week. I urge all Americans to participate by making eye care and eye safety an important part of their lives. I invite eye care professionals, the media, and all public and private organizations committed to the goals of sight preservation, to join in activities that will make Americans more aware of the steps they can take to preserve their vision.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6775 of March 10, 1995**

**National Park Week, 1995**

*By the President of the United States of America*

*A Proclamation*

Each National Park is a classroom without walls, a living laboratory for learning about natural environments, important historical events, and valuable cultural resources that make up our national heritage. To preserve this heritage, the National Park Service works with students and teachers to create exciting learning environments in which to activate a child's interest.

Within each park lies a compelling story—a powerful reminder of our Nation's origins and destiny. Geology, political science, marine ecology, the Civil War, language, art, music, maritime history, geography, wildlife, the American Revolution, technology—all come to life in our National Park System. Today, the men and women of the National Park Service are reaching out to the next generation of caretakers, instilling in our children a respect for the land, an understanding of our common American heritage, and an appreciation of parks as places of inspiration.

Through innovative educational programs, the National Park Service is actively building a new constituency of park supporters who will carry with them the most valued lessons of our country. "Junior Ranger" programs throughout the United States help children understand the wonders of the national parks and the importance of preserving them for years to come. "Parks As Classrooms" links parks with local schools and communities, reaching out to new audiences with hands-on activities. Residential camping programs open up new worlds of exploration and self-discovery for today's young people, in both inner cities and rural areas. Seminars for teachers assist in encouraging and improving the connections of young people to park areas.

National Park Week, 1995, is a time to celebrate the rich educational tradition of our parks. I encourage all Americans to join me in observing National Park Week as the beginning of a lifetime of learning, appreciating, and acting on behalf of our national treasures. I call on all Americans to learn more about our National Park System and to observe this week with appropriate ceremonies and programs.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim the week of May 22 through May 28, 1995, as "National Park Week."

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6776 of March 13, 1995****National Public Health Week, 1995***By the President of the United States of America**A Proclamation*

A clean bill of health is one of life's most precious gifts. But for many Americans, and for millions around the world, good health can seem almost a luxury. The AIDS epidemic, the prevalence of poor nutrition, unplanned pregnancies, and environmental degradation—these are just some of the pressing crises facing hardworking public health officials everywhere. While our society's medical technology has advanced to a level unimaginable to the generations before, the crucial job of ensuring basic public health for all remains just beyond our reach.

Now, more than ever, public health programs and services are needed so that we can ensure the best possible health for everyone. Providing safe living and working environments, developing methods to immunize populations against infectious disease, maintaining good nutritional standards, and having good prenatal care for everyone are vital endeavors—and such primary and preventive measures can mean the difference between life and death.

Every day, thousands of individuals across our country are working to build healthy communities, meet the needs of our diverse population, plan appropriate responses to natural disasters, educate individuals about workplace hazards, and encourage responsible behavior in all that we do. Their leadership is helping America to address one of humanity's most essential concerns, and their service is building a safer, healthier future for all of our people.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim the week of April 3 through April 9, 1995, as "National Public Health Week." I call upon all Federal, State, and local public health agencies to join with appropriate private organizations and educational institutions in celebrating this occasion with activities to promote healthy lifestyles and to heighten awareness of the many benefits good health brings.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

**WILLIAM J. CLINTON**

**Proclamation 6777 of March 14, 1995**

## **National Day of Prayer, 1995**

*By the President of the United States of America  
A Proclamation*

Our Nation was built on the steadfast foundation of the prayers of our ancestors. In times of blessing and crisis, stability and change, thanksgiving and repentance, appeals for Divine direction have helped the citizens of the United States to remain faithful to our long-standing commitment to life, liberty, and justice for all.

This reliance on spiritual assistance has especially characterized times of national transition and uncertainty. As our country was ravaged by the Civil War, Abraham Lincoln remarked, "I have been driven many times upon my knees by the overwhelming conviction that I had nowhere else to go." And with him, millions of slaves cried out to the Almighty for an end to their suffering.

Abolitionist Frederick Douglass said this about the spiritual songs sung on the plantations: "Every tone was a testimony against slavery, and a prayer to God for deliverance from chains." Since that time, we have witnessed tremendous improvements in relations between people of all races and backgrounds. Indeed, long ago, through the work of prayer and common effort, and with the inspiration of the Creator, we began to turn the tide in this Nation from divisiveness and recrimination toward reconciliation and healing.

Let us not forget those painful lessons of our past, but continue to seek the guidance of God in all the affairs of our Nation. We must not become complacent, but rather press onward for the protection of the vulnerable and the downtrodden. In the words of President Lincoln, "it behooves us then to humble ourselves before the offended Power, to confess our national sins and pray for clemency and forgiveness" for any injustice we perceive in our midst. May we, the people of this country, set a steady course, dedicated to respect for one another and for individual freedom.

The Congress, by Public Law 100-307, has called on our citizens to reaffirm annually our dependence on Almighty God by recognizing a "National Day of Prayer."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 4, 1995, as a National Day of Prayer. I call upon every citizen of this great Nation to gather together on that day to pray, each in his or her own manner, for God's continued guidance and blessing.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON



Proclamation 6778 of March 17, 1995

## To Amend the Generalized System of Preferences

*By the President of the United States of America*

*A Proclamation*

1. Pursuant to sections 501 and 502 of the Trade Act of 1974, as amended ("Trade Act") (19 U.S.C. 2461 and 2462), and having due regard for the eligibility criteria set forth therein, I have determined that it is appropriate to designate the West Bank and Gaza Strip as a beneficiary of the Generalized System of Preferences ("GSP").

2. Section 604 of the Trade Act (19 U.S.C. 2483) authorizes the President to embody in the Harmonized Tariff Schedule of the United States ("HTS") the substance of the provisions of that Act, and of other acts affecting import treatment, and actions thereunder.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to sections 501 and 604 of the Trade Act, do proclaim that:

(1) General note 4(a) to the HTS, listing those nonindependent territories whose products are eligible for benefits of the GSP, is modified by inserting "West Bank and Gaza Strip" in alphabetical order in the enumeration of nonindependent territories.

(2) Any provisions of previous proclamations and Executive orders inconsistent with the provisions of this proclamation are hereby superseded to the extent of such inconsistency.

(3) The extension of the Generalized System of Preferences program to the West Bank and Gaza Strip pursuant to this proclamation applies only to goods produced in the areas for which arrangements are being established for Palestinian Interim Self-Government, as set forth in Articles I, III, and IV of the Declaration of Principles on Interim Self-Government Arrangements.

(4) The modifications to the HTS made by paragraph (1) of this proclamation shall be effective with respect to articles that are: (i) imported on or after January 1, 1976, and (ii) entered, or withdrawn from warehouse for consumption, on or after 15 days after the date of publication of this proclamation in the **Federal Register**.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6779 of March 23, 1995**

**Greek Independence Day: A National Day of Celebration of Greek and American Democracy, 1995**

*By the President of the United States of America*  
*A Proclamation*

Two thousand five hundred years ago in Athens, across the Peninsula of Attica and throughout Greece, the idea of democracy was embodied in a series of rights and laws. The resulting freedom for the citizens of that land sparked a period of unprecedented activity in philosophy and the arts. The birth of democracy in Greece signaled the beginning of a lasting cultural transformation clearly reflected in the course of Western civilization.

The United States is proud to acknowledge the debt it owes to the ancient Greeks, whose philosophy and political system guided America's founders in forming a representative democracy on this continent. Yet the common bond that unites our modern nations goes beyond our commitment to the principles of democracy; beyond, too, the close friendship that we share. Through the years, our citizens have demonstrated a willingness to fight for the right to self-determination and for the cause of human dignity. The Greek struggle for independence 174 years ago won the hearts of Americans and all those who love freedom. As we mark the anniversary of that momentous occasion, Americans and Greeks join again in celebration.

Our countries now stand at the dawn of a new era—a time of growing hope and expanding opportunity. Nations across Central Europe are striving to turn from ancient rivalries and to embrace the possibility of democratic, market-oriented change. The Greek dedication to independence can provide both an important example and a helping hand for its neighbors, and Greece's recent efforts to strengthen these ties can serve to foster stability and prosperity throughout the region. Today, as ever, the United States supports Greece in its call for fellowship and peace. We stand together in affirming that the blessings of democracy will long survive and flourish.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 25, 1995, as "Greek Independence Day: A National Day of Celebration of Greek and American Democracy." I call upon all Americans to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6780 of March 23, 1995**

**To Implement Certain Provisions of Trade Agreements Resulting From the Uruguay Round of Multilateral Trade Negotiations, and for Other Purposes**

*By the President of the United States of America*

*A Proclamation*

1. On April 15, 1994, I entered into trade agreements resulting from the Uruguay Round of multilateral trade negotiations ("the Uruguay Round Agreements"). In section 101(a) of the Uruguay Round Agreements Act ("the URAA") (Public Law 103-465; 108 Stat. 4814) (19 U.S.C. 3511(a)), the Congress approved the Uruguay Round Trade Agreements listed in section 101(d) of that Act.

2. Pursuant to section 101(b) of the URAA, I decided to accept the Agreement Establishing the World Trade Organization ("the WTO Agreement") on behalf of the United States, and I determined that the WTO Agreement entered into force for the United States on January 1, 1995.

3. (a) Sections 1102(a) and (e) of the Omnibus Trade and Competitiveness Act of 1988, as amended ("the 1988 Act") (19 U.S.C. 2902(a) and (e)), authorize the President to proclaim such modification or continuance of any existing duty, such continuance of existing duty-free or excise treatment, or such additional duties, as he determines to be required or appropriate to carry out any trade agreement entered into under these sections.

(b) Section 111(a) of the URAA (19 U.S.C. 3521(a)) authorizes the President to proclaim such other modification of any duty, such other staged rate reduction, or such other additional duties beyond those authorized by section 1102 of the 1988 Act (19 U.S.C. 2902) as the President determines to be necessary or appropriate to carry out Schedule XX—United States of America, annexed to the Marrakesh Protocol to the General Agreement on Tariffs and Trade 1994 ("Schedule XX").

(c) Section 103(a) of the URAA (19 U.S.C. 3513(a)) authorizes the President to proclaim such actions as may be necessary to ensure that any provision or amendment made by the URAA that takes effect on the date that any of the Uruguay Round Agreements enters into force with respect to the United States is appropriately implemented on such date.

4. Proclamation 6763 of December 23, 1994, implemented the Uruguay Round Agreements, including Schedule XX, with respect to the United States; and incorporated in the Harmonized Tariff Schedule of the United States ("the HTS") tariff modifications necessary and appropriate to carry out the Uruguay Round Agreements and certain conforming changes in rules of origin for the North American Free Trade Agreement ("NAFTA"). Certain technical errors, including inadvertent omissions, were made in that proclamation. I have determined that it is necessary, to reflect accurately the intended tariff treatment provided for in the Uruguay Round Agreements and to ensure the continuation of the agreed NAFTA rules of origin, to modify certain provisions of the HTS, as set forth in the Annex to this proclamation.

5. (a) One of the Uruguay Round Agreements approved by the Congress in sections 101(a) and 101(d) of the URAA (19 U.S.C. 3511(a) and (d)) is the Agreement on Trade-Related Aspects of Intellectual Property Rights ("the TRIPs Agreement").

(b) Section 104A of title 17, United States Code, as amended by section 514 of the URAA, provides for copyright protection in restored works. Section 104A(h), as amended, provides that the date of restoration of a restored copyright shall be the date on which the TRIPs Agreement enters into force with respect to the United States, if the source country is a nation adhering

to the Berne Convention or a World Trade Organization (WTO) member on such date.

(c) Article 65, paragraph 1, of the TRIPs Agreement provides that no WTO member shall be obliged to apply the provisions of this Agreement until one year after the date of entry into force of the WTO Agreement. The date of entry into force of the WTO Agreement with respect to the United States was January 1, 1995.

(d) The statement of administrative action, approved by the Congress in section 101(a)(2) of the URAA (19 U.S.C. 3511(a)(2)), provides that, "In general, copyright will be restored on the date when the TRIPs Agreement's obligations take effect for the United States."

(e) Accordingly, I have decided that it is necessary and appropriate, in order to implement the TRIPs Agreement and to ensure that section 514 of the URAA is appropriately implemented, to proclaim that the date on which the obligations of the TRIPs Agreement will take effect for the United States is January 1, 1996.

6. (a) Section 902(a)(2) of title 17, United States Code, authorizes the President to extend protection under chapter 9 of title 17, United States Code, to mask works of owners who are nationals, domiciliaries, or sovereign authorities of, and to mask works, which are first commercially exploited in, a foreign nation that grants United States mask work owners substantially the same protection that it grants its own nationals and domiciliaries, or that grants protection to such works on substantially the same basis as does chapter 9 of title 17, United States Code.

(b) Australia, Canada, Japan, Switzerland, and the Member States of the European Community provide adequate and effective protection for mask works within the meaning of 17 U.S.C. 902(a)(2), and have been subject to interim protection under 17 U.S.C. 914. Consequently, I find that these countries satisfy the requirements of 17 U.S.C. 902(a)(2), and are to be extended full protection under chapter 9 of title 17, United States Code, effective on July 1, 1995.

(c) In addition, 17 U.S.C. 902(a)(1)(A)(ii) provides that mask work owners who are nationals, domiciliaries, or sovereign authorities of a foreign nation that is a party to a treaty affording protection to mask works to which the United States is also a party are eligible for protection under chapter 9 of title 17, United States Code. The TRIPs Agreement, which requires all WTO members to provide protection equivalent to that provided under chapter 9 of title 17 on the basis of national treatment, is such an agreement. Because the United States is a member of the WTO and thus of the TRIPs Agreement, and because the TRIPs Agreement will be effective for the United States on January 1, 1996, all other WTO members will become eligible for full protection under chapter 9 of title 17, United States Code, on January 1, 1996.

7. Section 491 of the Trade Agreements Act of 1979, as amended ("the 1979 Act") (19 U.S.C. 2578), requires the President to designate an agency to be responsible for informing the public of the sanitary and phytosanitary standard-setting activities of each international standard-setting organization. I have decided to designate the Department of Agriculture as the agency responsible for providing the public with this information.

8. (a) The March 24, 1994, Memorandum of Understanding on the Results of the Uruguay Round Market Access Negotiations on Agriculture Between the United States of America and Argentina ("the MOU"), submitted to the Congress along with the Uruguay Round Agreements, provides for "an appropriate certificate of origin" for imports of peanuts and peanut butter and peanut paste from Argentina.

(b) Proclamation 6763 proclaimed the Schedule XX tariff rate quotas for peanuts and peanut butter and peanut paste. However, that proclamation did not specify which agency should implement the MOU.

(c) Section 404 of the URAA (19 U.S.C. 3601) requires the President to take such action as may be necessary to ensure that imports of agricultural products do not disrupt the orderly marketing of commodities in the United States.

(d) Accordingly, I have decided to delegate to the United States Trade Representative ("the USTR") my authority under section 404 of the URAA to implement the MOU, through such regulations as the USTR, or, at the direction of the USTR, other appropriate agencies, may issue.

9. Section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483) ("the 1974 Act"), authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, of other Acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to section 301 of title 3, United States Code, section 902(a)(1) and (2) of title 17, United States Code, section 604 of the 1974 Act, as amended (19 U.S.C. 2483), section 491 of the 1979 Act, as amended (19 U.S.C. 2578), section 1102 of the 1988 Act, as amended (19 U.S.C. 2902), title I of the URAA (19 U.S.C. 3511–3551), and section 404 of the URAA (19 U.S.C. 3601), do hereby proclaim that:

(1) To more completely implement the tariff treatment accorded under the Uruguay Round Agreements, the HTS is modified as set forth in the Annex to this proclamation.

(2) The obligations of the TRIPs Agreement shall enter into force for the United States on January 1, 1996.

(3) Australia, Canada, Japan, Switzerland, and the Member States of the European Community shall be extended full protection under chapter 9 of title 17, United States Code, effective on July 1, 1995. In addition, as of January 1, 1996, full protection under chapter 9 of title 17, United States Code, shall be extended to all WTO Members.

(4) The Secretary of Agriculture is designated, under section 491 of the 1979 Act, as amended (19 U.S.C. 2578), as the official responsible for informing the public of the sanitary and phytosanitary standard-setting activities of each international standard-setting organization.

(5) The USTR is authorized to exercise my authority under section 404 of the URAA (19 U.S.C. 3601) to implement the MOU with Argentina, through such regulations as the USTR, or, at the direction of the USTR, other appropriate agencies, may issue.

(6) In order to make conforming changes and technical corrections to certain HTS provisions, pursuant to actions taken in Proclamation 6763, the HTS and Proclamation 6763 are modified as set forth in the Annex to this proclamation.

(7) All provisions of previous proclamations and Executive orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

(8) This proclamation shall be effective upon publication in the **Federal Register**.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

## Annex

**Section A. Modifications to the Harmonized Tariff Schedule of the United States ("HTS").**

The HTS is modified as provided below, with bracketed matter included to assist in the understanding of proclaimed modifications. The following supersedes matter in the HTS. The subheadings and superior text are set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special" and "Rates of Duty 2", respectively.

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 1995.

- (1). General note 12 is modified by:
- (a). in subdivision (f)(iii)(A) deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof.
  - (b). in subdivision (f)(iii)(B) deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof; deleting "1901.10.15" and inserting "1901.10.05, 1901.10.15" in lieu thereof; deleting "1901.20.05" and inserting "1901.20.02, 1901.20.05" in lieu thereof; and deleting "1901.90.31, 1901.90.41 or 1901.90.81" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof.
  - (c). in subdivision (r)(v)(A) deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof.
  - (d). in subdivision (s)(1)(C) deleting "or 2106.90.46" and inserting "2106.90.42, 2106.90.44 or 2106.90.46" in lieu thereof.
  - (e). in subdivision (t):
    - (i) for chapter 4 tariff classification rule, deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof;
    - (ii) for chapter 18 tariff classification rule 2, deleting "1806.10.45" and inserting "1806.10.43, 1806.10.45" in lieu thereof;
    - (iii) for chapter 19:
      - (1) tariff classification rule 1, deleting "1901.10.15" and inserting "1901.10.05, 1901.10.15" in lieu thereof;
      - (2) tariff classification rule 3, deleting "1901.20.05" and inserting "1901.20.02, 1901.20.05" in lieu thereof;
      - (3) tariff classification rule 5, deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof;
    - (iv) for chapter 20 tariff classification rule 2, deleting "2008.11.25" and inserting "2008.11.22, 2008.11.25" in lieu thereof;
    - (v) for chapter 21:
      - (1) tariff classification rule 9, deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof;

## Annex (con.)

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Section A. (continued)

## (1). (con.):

## (e). in subdivision (t) (con.):

## (v) for chapter 21 (con.):

(2) tariff classification rule 10, deleting "2106.90.46" and inserting "2106.90.48" in lieu thereof;

(3) tariff classification rule 12, deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof;

## (vi) for chapter 22:

(1) tariff classification rule 3, deleting "2106.90.46" and inserting "2106.90.48" in lieu thereof;

(2) tariff classification rule 5, deleting "2202.90.24" and inserting "2202.90.22, 2202.90.24" in lieu thereof and deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof;

(vii) for chapter 23 tariff classification rule 3, deleting "2309.90.24" and inserting "2309.90.22, 2309.90.24" in lieu thereof and deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof;

(viii) for chapter 90 tariff classification rule 21, deleting "item 9009.90.40" and inserting "items 9009.90.10 and 9009.90.30" in lieu thereof.

(2). General note 13 is modified by deleting "any product (by whatever name known) classifiable in such provision (and not dutiable under column 2) shall be entered free of duty," and inserting "any product (by whatever name known) classifiable in such provision which is the product of a country eligible for tariff treatment under column 1 shall be entered free of duty," in lieu thereof.

(3). General note 14 is modified by deleting "any product classifiable in such provision (and not dutiable under column 2) shall be entered free of duty," and inserting "any product classifiable in such provision which is the product of a country eligible for tariff treatment under column 1 shall be entered free of duty," in lieu thereof.

(4). Additional U.S. note 1 to chapter 4 is modified by deleting such note and inserting the following note in lieu thereof:

"1. For the purposes of this schedule, the term "dairy products described in additional U.S. note 1 to chapter 4" means any of the following goods: (a) malted milk, and articles of milk or cream (except (a) white chocolate and (b) inedible dried milk powders certified to be used for calibrating infrared milk analyzers); articles containing over 5.5 percent by weight of butterfat which are suitable for use as ingredients in the commercial production of edible articles (except articles within the scope of other import quotas provided for in additional U.S. notes 2 and 3 to chapter 18); or dried milk, whey or buttermilk (of the type provided for in subheadings 0402.10, 0402.21, 0403.90 or 0404.10) which contains not over 5.5 percent by weight of butterfat and which is mixed with other ingredients, including but not limited to sugar, if such mixtures contain over 16 percent milk solids by weight, are capable of being further processed or mixed with similar or other ingredients and are not prepared for marketing to the ultimate consumer in the identical form and package in which imported."

(5). Additional U.S. note 20 to chapter 4 is modified by deleting the quota amount of "235,500" for Argentina and inserting "235,000" in lieu thereof.

Section A. (continued)

(6). Additional U.S. note 24 to chapter 4 is modified by deleting "in the subheadings provided for in additional U.S. note 17 to this chapter and subject to the quantitative limitations of such additional U.S. note 17." and inserting "in the subheadings for blue-mold cheeses and is subject to any quantitative limitation on such cheeses." in lieu thereof.

(7). Additional U.S. note 2 to chapter 12 is modified by adding the following new subdivision (c):

"(c) Imports of peanuts under this note are subject to regulations as may be issued by the United States Trade Representative or other designated agency."

(8). Additional U.S. note 11 to chapter 17 is renumbered as additional U.S. note 10.

(9). Additional U.S. note 5 to chapter 20 is modified by adding at the end of the note the following new paragraph:

"Imports of peanut butter and paste under this note are subject to regulations as may be issued by the United States Trade Representative or other designated agency."

(10). The Rates of Duty 1-Special subcolumn for subheading 2005.70.23 is modified by inserting, in alphabetical order, the symbols "A", "E" and "J" in the parentheses following the Free rate of duty in such subcolumn.

(11). The article description for subheading 2008.99.65 is deleted and the article description "Cassava (manioc)" is inserted in lieu thereof.

(12). The Rates of Duty 1-Special subcolumn for subheading 2918.21.10 is modified by deleting the symbol "K" in the parentheses following the Free rate of duty in such subcolumn.

(13). The Rates of Duty 1-Special subcolumn for subheading 2922.50.11 is modified by inserting, in alphabetical order, the symbol "K" in the parentheses following the Free rate of duty in such subcolumn.

(14). The Rates of Duty 1-Special subcolumn for the subheadings listed in this paragraph is modified by inserting, in alphabetical order, the symbol "L" in the parentheses following the Free rate of duty in such subcolumn.

2914.70.90	2918.29.25	2922.19.70	2922.30.17
2917.19.20	2918.29.65	2922.29.29	2933.40.60
2918.29.04	2918.29.75	2922.29.60	2933.40.70

(15). The Rates of Duty 2 column for subheading 3213.90.00 is modified by deleting the rate set forth in such column and inserting "48.6%" in lieu thereof.

(16). The article description for subheading 3402.11.20 is deleted and the article description "Linear alkylbenzene sulfonic acid and linear alkylbenzene sulfonates" is inserted in lieu thereof.

(17). Subheadings 3912.31.20 and 3912.31.60 are superseded by:

(Cellulose and its chemical derivatives,...)			
(Cellulose ethers:)			
"3912.31.00	Carboxymethylcellulose and its salts.....	6.4%	Free (A,CA,E,IL, J,K,NO)
			66%

(18). The article description for subheading 5112.19.20 is deleted and the article description "Tapestry fabrics and upholstery fabrics" is inserted in lieu thereof.

(19). The article description for subheading 5701.10.40 is deleted and the article description "Hand-hooked, that is, in which the tufts were inserted and knotted by hand or by means of a hand tool" is inserted in lieu thereof.



Section A. (continued)

(20). The article description for subheading 5703.20.10 is deleted and the article description "Hand-hooked, that is, in which the tufts were inserted by hand or by means of a hand tool" is inserted in lieu thereof.

(21). The article description for subheading 8424.89.30 is deleted and the article description "Spraying appliances designed for etching, stripping or cleaning semiconductor wafers" is inserted in lieu thereof.

(22). Subheadings 8443.19.60 and 8443.19.80 and the superior text immediately preceding subheading 8443.19.60 are superseded and the following provisions are inserted in numerical sequence:

(Printing machinery; machines for uses....:)  
(Offset printing machinery:)  
(Other:)

"8443.19.90                      Weighing 1,600 kg or more..... Free                      25X"

(23). The article description for subheading 8471.91.40 is modified by deleting "in an automatic data processing machines" and inserting "in automatic data processing machines" in lieu thereof.

(24). The article description for subheading 8477.10.40 is deleted and the article description "For use in the manufacture of video laser discs" is inserted in lieu thereof.

(25). The article description for subheading 8479.89.85 is deleted and the article description "Machines for processing of semiconductor materials; machines for production and assembly of diodes, transistors and similar semiconductor devices and electronic integrated circuits; machines for the manufacturing of video laser discs" is inserted in lieu thereof.

(26). The Rates of Duty 2 column for subheading 9106.90.55 is modified by deleting the rate set forth in such column and inserting "\$4.50 each + 65%" in lieu thereof.

(27). The Rates of Duty 2 column for subheading 9106.90.75 is modified by deleting the rate set forth in such column and inserting "\$4.50 each + 65%" in lieu thereof.

(28). U.S. note 1 to subchapter VIII of chapter 98 is modified by deleting such note and inserting the following note in lieu thereof:

"1. With respect to subheading 9808.00.80, goods brought into the customs territory of the United States by the National Aeronautics and Space Administration from space or from a foreign country as part of an international program of the National Aeronautics and Space Administration shall not be considered an importation, and an entry of such materials shall not be required."

(29). Subheading 9808.00.80 and the superior text immediately preceding subheading 9808.00.80 are superseded and the following provisions are inserted in numerical sequence:

"Articles for the National Aeronautics and Space Administration and articles imported to implement international programs between the National Aeronautics and Space Administration and foreign entities, including launch services agreements:  
9808.00.80      Goods certified by it to the Commissioner of Customs to be imported for use of the National Aeronautics and Space Administration or for implementation of an international program of the National Aeronautics and Space Administration, including articles to be launched into space and parts thereof, ground support equipment and uniquely associated equipment for use in connection with an international program of the National Aeronautics and Space Administration, including launch services agreements..... Free                      Free"

**Proclamations**

**Proc. 6781**

**Annex (con.)**

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**Section A. (continued)**

(30). U.S. note 1(c) to subchapter XIII of chapter 98 is modified by deleting "paid to Canada or Mexico." and inserting "paid to Canada or to Mexico on the exported article, unless such article is covered by section 203(a)(1) through 203(a)(8), inclusive, of the NAFTA Implementation Act." in lieu thereof.

(31). Subheading 9905.51.12 is deleted.

(32). The article description for subheading 9906.61.01 is modified by deleting the parenthetical phrase from such article description and inserting the parenthetical phrase "(provided for in subheading 6104.39.20)" in lieu thereof.

**Section B. Modifications to Proclamation 6763.**

(1). For sections A(8)(g)(xi)(C) and (E) the effective date of these modifications to general note 12 of the HTS shall be January 1, 1994.

(2). In section A(144)(a) the article description for subheading 2933.90.89 is deleted and the following article description "Hexamethyleneimine" is inserted in lieu thereof.

(3). Section B(1) is modified by deleting "Additional U.S. note 4 to chapter 18" and inserting "Additional U.S. note 2 to chapter 18" in lieu thereof.

(4). Section D(1) is modified for subheading 2401.20.30 by deleting the rate of duty in the columns for the years 2000 through 2004, inclusive, and inserting the rate of duty "40.9¢/kg" in lieu thereof.

(5). Section D(1) is modified for subheadings 6115.93.15 and 7302.30.00 by deleting the rates of duty in the columns for the years 1995 through 2004, inclusive, and inserting the following rates of duty in lieu thereof.

HTS Subheading	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6115.93.15	4.6%	3.5%	2.3%	1.2%	Free	Free	Free	Free	Free	Free
7302.30.00	4.6%	3.4%	2.3%	1.1%	Free	Free	Free	Free	Free	Free

(6). Section G(1) is modified by renumbering 0406.90.34, 0406.90.44, 7019.10.05 and 7019.10.24 as 0406.90.33, 0406.90.43, 7019.10.10 and 7019.10.28, respectively.

**Proclamation 6781 of April 4, 1995**

**National Child Abuse Prevention Month, 1995**

*By the President of the United States of America*  
**A Proclamation**

Childhood should be a special time. Every child should grow up in an atmosphere of love and respect. Children should have a chance to learn, to explore and develop, to look forward to becoming successful, happy, and loving adults. Yet tragically, for a growing number of children in the Unit-

ed States, childhood is an ordeal of violence, pain, and broken promises—a time to endure, not one to cherish.

Child abuse and neglect in America are on the rise. Nationwide, nearly 3 million children are reported abused and neglected each year, and more than 1,200 die from the effects. Although public concern about violence against our Nation's youth is extremely high, many Americans don't know what role they can play in protecting them. For that reason, each April, communities across the country join together to raise public awareness, to call for an end to child abuse, and to let everyone know what they can do to help.

This year, National Child Abuse Prevention Month focuses on the simple truth, "The more you help, the less they hurt." The goal is to teach all Americans how they can help end the cycle of abuse and neglect that tears at the very fabric of our families, our communities, and our country. Because the effects of child abuse are felt by whole communities, the search for solutions must be a community-wide effort—and every citizen must get involved.

Child abuse prevention efforts succeed because of partnerships among social service agencies, schools, religious organizations, law enforcement agencies, and the business community. I encourage you to get involved. Volunteer on a crisis hotline for parents who are under stress, or help start a parents' support group. Perhaps you could find space in your community to establish a "drop-in center" where parents can get information and support. You could urge your religious or neighborhood group to sponsor a home visitor program for new parents. Or you might help your local school and youth organizations arrange for speakers and events about preventing violence against children.

These are just some of the steps we can take to help protect our children and to strengthen our families. If we don't change things, our children—more of them each day—will lose their chance at life. And our Nation will lose the tremendous potential that every young life holds.

America's children are products of the world we have made for them. Their well-being is a reflection of our commitment, maturity, and wisdom. If we nurture our children and fill their lives with genuine caring and respect, we will see our love realized in a world of enduring hope and promise.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim the month of April 1995 as "National Child Abuse Prevention Month." I call upon all Americans during this month and throughout the year to help keep our children safe from harm.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6782 of April 6, 1995**

**National Former Prisoner of War Recognition Day, 1995**

*By the President of the United States of America*

*A Proclamation*

In the centuries since our Nation was founded, our citizens have been called on time and again to defend the blessings of American democracy. Although the enemies of freedom have often risen from distant shores, the valiant men and women who wear our Nation's uniform have made freedom's fight their own. From Europe to the Pacific, Korea to the Persian Gulf, these Americans and their families have suffered through the darkest hours of humanity so that the cause of human dignity might endure.

It is in gratitude that we pause each year to recall the courage and to honor the service of the sons and daughters of America who have been held as prisoners of war. Few words can express the depth of their sacrifice or the worthiness of their mission. Often subjected to extreme brutality in violation of international codes and customs governing their treatment, many of our people have come home with disabling wounds and injuries. Too many of our people have not come home at all.

Today, the lives of these extraordinary Americans and the stories of their indomitable spirits are at the core of our national character. The citizens of the United States will always remember the proud individuals who traded their liberty to preserve our own. We will build on the triumphs of democracy that they have helped to ensure. And in speaking of their bravery, we will tell our children and grandchildren that though bodies may be imprisoned, hearts can remain ever free.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 9, 1995, as "National Former Prisoner of War Recognition Day." I urge State and local officials, private organizations, and U.S. citizens everywhere to join in honoring the members of the United States Armed Forces who have been held as prisoners of war. I call upon all Americans to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6783 of April 7, 1995**

## **Cancer Control Month, 1995**

*By the President of the United States of America*

### *A Proclamation*

Almost all of us have been touched by the devastating effects of cancer. In its many forms, cancer has been one of the most persistent and deadly health problems of this century. With the coming of spring—a time of re-birth—it is especially appropriate for us to renew our commitment to fighting cancer, to take pride in the progress we have made in combatting this disease, and to recognize the work still to be done.

In the 24 years since the signing of the National Cancer Act, we have made significant strides against cancer. Through diligent research, we have identified major risk factors for the disease—including diet, lack of exercise, and smoking—and we have worked to educate Americans to minimize these risks in their lives. New approaches to treatment have been developed in recent years, and new medicines are continually being refined and tested.

Among women in the United States who develop cancer, lung cancer claims the most lives, followed closely by breast cancer. An estimated 1 in 8 women will be diagnosed with breast cancer at some point in their lives—up from 1 in 20 just two decades ago. In this decade, an estimated 2 million women will be diagnosed with breast cancer or cervical cancer, with more than 500,000 of these women dying as a result. Cancers of the uterus, ovaries, and colon are also on the rise among women in this country.

We are making progress, however. For example, from 1989 to 1992, the numbers of women dying from breast cancer actually declined—the largest short-term decrease since 1950. With the advances in treatment upon early detection, screening mammography has never been more important. My Administration is launching a nationwide campaign to increase awareness of Medicare coverage for screening mammography. Additionally, most States now have laws requiring private insurers to offer coverage for biannual screening mammography, and third-party reimbursement is increasing. Together, these measures are helping more women to benefit from this potentially life-saving procedure.

Remarkable progress has also been made against childhood cancers as a result of the unflagging persistence of researchers in laboratories and hospitals across the country. Although the number of children affected by cancer is increasing, the number of deaths from childhood cancer continues to drop dramatically. Improved diagnostic and prognostic techniques and important advances in treatment have given renewed hope to children with leukemia, Wilms' tumor, neuroblastoma, and brain tumors. We are seeing a steady increase in the number of adult survivors of these childhood cancers.

Every one of us has a part to play in the fight against this disease and much work remains to eradicate it. Continuing research is essential to reducing the incidence of cancer for all our citizens.

In 1938, the Congress of the United States passed a joint resolution requesting the President to issue an annual proclamation declaring April as "Cancer Control Month."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim the month of April 1995 as Cancer Control Month. I invite the Governors of the 50 States and the Commonwealth of Puerto Rico, the Mayor of the District of Columbia, and the appropriate officials of all other areas under the American flag to issue similar proclamations. I also ask health care professionals, private industry, community groups, insurance companies, and all other interested organizations and individual citizens to unite in support of our Nation's determined efforts to control cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6784 of April 10, 1995**

## **Pan American Day and Pan American Week, 1995**

*By the President of the United States of America*

### *A Proclamation*

The peoples of the Americas today live in a world of great promise. Fundamental democratic principles, such as the rule of law and free and fair elections, are being embraced throughout the hemisphere. In perhaps one of the most eloquent expressions of the commitment of American nations to democratic rule, Jean Bertrand Aristide was restored to his elected position as President of Haiti. Open markets work, democratic governments are just—and together they offer the best hope for improving the quality of life for all of us.

As we celebrate Pan American Day, 1995, we recognize that the nations of the Western Hemisphere are interdependent, and our futures are intertwined. We are bound together by our shared commitment to democracy, human rights, market economics, and effective governance. These common ideals have enabled us to form an extraordinary network of cooperation, encompassing endeavors from trade and environmental protection to science and technology.

The countries of the Americas have taken important steps to open their economies, create new jobs, and expand opportunities for their citizens. These reforms represent a historic break with the past and begin to pave the road toward higher standards of living in the 21st century. The North American Free Trade Agreement marks an additional milestone on the way to the hemispheric free trade agreement envisioned at the Summit of the Americas.

At that summit in December of this past year, the 34 democratically elected leaders of the hemisphere determined to make our governments more effec-

tive, our economic growth more sustainable, and our environments safer and healthier. Our deliberations there were guided by a vital spirit of cooperation, and we continue to move forward today with the knowledge that, now more than ever, the economic prosperity of each of our countries depends on the progress of our neighbors.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Friday, April 14, 1995, as Pan American Day and the week of April 9 through April 15, 1995, as Pan American Week. I urge the Governors of the 50 States, the Governor of the Commonwealth of Puerto Rico, and the officials of other areas under the flag of the United States to honor these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6785 of April 10, 1995**

### **Education and Sharing Day, U.S.A., 1995**

*By the President of the United States of America*  
*A Proclamation*

As we move toward a complex and challenging new century, excellence in American education is more vital to our Nation's success than ever. We live in an era when advances in science and technology create new questions and demand more of our citizens each day. Only a national commitment to high-quality education can prepare our young people to meet the great responsibilities and opportunities of the future.

Yet an education that prepares a child for a lifetime is more than an accumulation of facts or single-minded preparation for a career. It is also a set of ideals and ethics that unites all Americans and allows us to work together for a just and honorable society. Teachers, families, and communities play vital roles in passing on these shared values and common hopes for a better tomorrow.

Rabbi Menachem Mendel Schneerson, the Lubavitcher Rebbe, well understood the importance of nurturing the heart along with the mind. Throughout his long and rich life, he believed that the education of our young people would only be successful if it sought to build character as well as intellect, if it taught the lessons of honesty, tolerance, and good citizenship, as well as language, math, and science.

This year, let us rededicate ourselves to teaching the love of learning that was championed by Rabbi Schneerson and is strengthened by caring leaders like him throughout our Nation. As we provide our students with the information and practical tools they need, let us also pass on to them the

capacity for understanding that can help to give fuller meaning to their lives.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 11, 1995, as "Education and Sharing Day, U.S.A." I call upon Government officials, educators, volunteers, and all the people of the United States to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6786 of April 20, 1995**

**Victims of the Oklahoma City Bombing**

*By the President of the United States of America  
A Proclamation*

On April 19, 1995, the Alfred P. Murrah Federal Building in Oklahoma City was brutally bombed in an appalling act of cowardice. As a mark of respect for those killed in the bombing, I hereby order, by the authority vested in me as President of the United States of America by section 175 of title 36 of the United States Code, that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions through Monday, April 24, 1995. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON



**Proclamation 6787 of April 20, 1995**

**National D.A.R.E. Day, 1995**

*By the President of the United States of America*

*A Proclamation*

Drug Abuse Resistance Education (D.A.R.E.) is America's largest and most effective drug-use prevention program. Reaching 25.5 million young people, from kindergarten through 12th grade, its precepts are taught in more than 250,000 classrooms in all 50 States and many other lands worldwide.

D.A.R.E. was designed to help prevent the substance abuse and violence that plague too many of our Nation's children. Teaching conflict resolution and anger management skills, providing accurate information about alcohol, drugs, and tobacco, and educating students about the consequences of their behavior, D.A.R.E. has served to increase self-esteem among our youth and give them the tools they need to resist destructive peer pressure.

Today, people everywhere recognize that empowering kids and teens with sound advice is important, but it is not enough. Parents and teachers, counselors and concerned citizens all must play a role in encouraging our young people to lead safe, productive, drug-free lives. That is why D.A.R.E. is taught by veteran police officers, whose knowledge and skills have prepared them to understand the reality of the streets and the lives of children in need. D.A.R.E. demonstrates that, working together, communities have the power within themselves to keep the American Dream alive for all of us.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 20, 1995, as "National D.A.R.E. Day." I encourage parents, teachers, and children across the country to join in observing this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6788 of April 20, 1995**

**Jewish Heritage Week, 1995**

*By the President of the United States of America*

*A Proclamation*

Throughout history and through times of profound adversity, the Jewish people have built their lives on the strength of family and the spirit of community. Millions have made a home in America—a Nation filled with opportunity and blessed with the miracle of freedom. And here, with hard work and dedication, the Jewish-American community has flourished.

Jewish citizens have made vital contributions to every sector of our society. From academia to the arts, from business to government, from the smallest towns to the largest cities, Jewish Americans have infused our Nation with a powerful faith, a commitment to family and community, and a devotion to scholarship and self-improvement.

Judaism is a unique gift to this land that people of myriad faiths and cultures call home. The ancient commandment of *tzedakah*—charity—challenges us to embrace the duty of service to others. The Talmudic teachings of mercy and justice, and those who have sought to uphold these ideals, grace the pages of American history. We can draw strength and inspiration from the enduring lessons of Judaism, and it is entirely fitting that we honor the great traditions of its followers.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 30 through May 7, 1995, as "Jewish Heritage Week." I call upon the people of the United States to observe this week with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twentieth day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6789 of April 21, 1995**

## **National Day of Mourning in Memory of Those Who Died in Oklahoma City**

*By the President of the United States of America*

### *A Proclamation*

As we seek justice for the evil done in Oklahoma City on April 19, 1995, good and decent people everywhere mourn the loss of innocents. Our sons and daughters, parents and friends were stolen from us. Their families can never replace the gift of their laughter. Our Nation can never replace the spirit of their character. But even as we grieve, we resolve today in solemn promise that those on earth shall never be bowed by murderous cowards. This sin against humanity shall not go unpunished.

It has been said that, "In every child who is born, the potentiality of the whole human race is born again." We lost unimaginable potential this past week. And we will miss our loved ones dearly. But the children who died in this violence may yet lift up humanity. We do them no greater honor than by taking from their deaths the memory of their hopes, by carrying with us always their dreams, their kind and trusting ways. We redeem the value of their lives no further than by heeding the voices of children everywhere, who ask simply and invariably for peace and love.

We take comfort in knowing that all who perished are in God's hands.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby appoint Sunday, April 23, 1995, as a National Day of Mourning throughout the United States. I ask the American people assembled on that day in their homes and places of worship to pay homage to the memory of those lost in the Oklahoma City tragedy and to pray for them and their community. I invite all those around the world who share our grief to join us in this solemn observance.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6790 of April 21, 1995**

**National Volunteer Week, 1995**

*By the President of the United States of America*  
*A Proclamation*

Our ancestors built this Nation on the spirit of independence and the strength of community. Yesterday's Americans came together to raise a barn, till a farm, or teach a child to write. They came together to care for one another and to lift up their neighbors in need. For rich and poor, old and young, giving their talents to benefit the community was the most fundamental responsibility of American citizenship.

Through the years, this basic ideal has endured. Service remains the noblest quality of the American character. Our people still come together to build a house, plant a garden, or tutor a child. Elementary school students help older Americans in their daily lives. Seniors help struggling teenagers stay out of trouble. Countless dedicated citizens claim our country's challenges as their own. Their service sets a powerful example of leadership and compassion for each of us to follow.

As a partner in progress, government can expand and strengthen this great American legacy. AmeriCorps, the Senior Corps, and Learn and Serve America now provide service opportunities for more than a million of our citizens. These initiatives enable us to keep faith with the covenant of citizenship. This week, we celebrate the tens of millions of volunteers who give their time, their energy, and their hearts to making our world a better place.

We are indeed fortunate that, even as we face difficult problems in our streets, schools, homes, and communities, citizens are volunteering to help one another in numerous ways. Some spend a few hours every week. Others give entire days—even years—of their lives to service. Each makes a lasting contribution to the substance and the spirit of community in America. And each helps lead us into an ever brighter future.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitu-

tion and laws of the United States, do hereby proclaim April 23 through April 29, 1995, as "National Volunteer Week." I call upon all Americans to observe this week with appropriate programs, ceremonies, and activities in expression of their commitment.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6791 of April 26, 1995**

**National Crime Victims' Rights Week, 1995**

*By the President of the United States of America*

*A Proclamation*

Every year, more than 36 million people in America become the victims of crime. Offenders prey on our daughters and sons, sisters and brothers, parents, grandparents, and friends. Violent crime is creating fear and insecurity in communities across our Nation.

To ensure justice and promote healing, a grassroots crime victims' movement has worked to enact numerous initiatives in State legislatures across the country—laws that now provide crucial rights for crime victims and their families. As we mark National Crime Victims' Rights Week this year, Americans join in remembering the fallen, in celebrating criminal justice reforms, and in envisioning a future free from violence.

The Violent Crime Control and Law Enforcement Act of 1994, which I signed into law this past September, ensures that our criminal justice system recognizes the victims. Its provisions include allocation rights for victims of violent crime and sexual abuse, truth in sentencing guidelines to ensure that violent offenders serve longer sentences, and sex offender registries designed to monitor offenders more effectively. This Act will help put 100,000 more police officers on the streets of our communities. And the landmark Violence Against Women Act is the first comprehensive Federal effort to address violence against women.

But no government can be truly effective without the active involvement of its citizens. Victim advocacy—the work of the more than 8,000 organizations and the countless individuals we honor this week—can be a lifeline to emotional survival. When random bullets wound a child, when a battered woman needs shelter in the night, when a rape survivor seeks help—victim advocates are there to comfort and support. Many of our Nation's crime victims and advocates work tirelessly in schools, neighborhoods, and youth custody facilities. They give faces and names to the statistics of crime, opening young peoples' eyes to the reality of violence and helping to plant seeds of responsibility that can last a lifetime.

We nonetheless recognize that much remains to be done. But with continued partnerships between every level of government, criminal justice and victim advocacy organizations, and crime survivors and their families,

America can begin to replace the nightmare of crime with a bright new day of hope.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 23 through April 29, 1995, as "National Crime Victims' Rights Week." I urge all Americans to pause and remember the victims of crime and to join in honoring those who serve crime victims and their families by working to reduce violence, to assist those harmed by crime, and to make our homes and communities safer places in which to live.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

#### **Proclamation 6792 of April 27, 1995**

#### **Law Day, U.S.A., 1995**

*By the President of the United States of America  
A Proclamation*

Our legal system is the foundation on which this Nation was built. It enables us to realize the promises of life, liberty, and the pursuit of happiness. Law protects our homes, our families, and our communities. It secures our borders and safeguards our environment. It is the basis for free markets and our continued prosperity. And it helps guide our relationships with other lands.

When President John F. Kennedy proclaimed Law Day, U.S.A. in 1962, he reminded us that law, like freedom, demands constant vigilance. We must nurture "through education and example an appreciation of the values of our system of justice and . . . an increased respect for law and for the rights of others as basic elements of our free society." As we celebrate Law Day this year, it is more important than ever that we rededicate ourselves to reaching these goals.

Today, America's system of jurisprudence is being challenged as never before. Great technological advances are leading us to redefine and expand the ways in which laws apply to us as individuals and as a Nation. From communications to computer software, international trade to environmental protection, our legal system remains an anchor of freedom, even as it evolves to meet the demands of our rapidly changing times.

If we are to further advance the causes of democracy and human dignity around the world, we must not falter in enforcing the rule of law here at home. Laws must be applied as vigorously on Main Street as on the information superhighway. The legal community must help to restore Americans' sense of security and faith in justice. Most important, our laws must continue to fulfill our Founders' ideals of fairness and equality. Working together, we must strive to ensure that tomorrow's generations inherit the

truths that have long sustained us as a people and move our Nation forward.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, in accordance with Public Law 87-20 of April 7, 1961, do hereby proclaim May 1, 1995, as "Law Day, U.S.A." I urge the people of the United States to use this occasion to reflect on our heritage of freedom, to familiarize themselves with their rights and responsibilities, and to aid others seeking to affirm their rights under law.

I call upon the legal profession, civic associations, educators, librarians, public officials, and the media to promote the observance of this day through appropriate programs and activities. I also call upon public officials to display the flag of the United States on all government buildings throughout the day.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6793 of April 28, 1995**

## **Small Business Week, 1995**

*By the President of the United States of America*

### *A Proclamation*

At the heart of our free enterprise system are the Nation's 21.5 million small businesses. They are the engine of our economy, keeping America competitive in domestic and global markets. These businesses demonstrate by their achievements and success that the promise of the American Dream is within the grasp of every one of our citizens.

America's small business entrepreneurs are risk-takers, venturing into new and often uncertain territory. As a Nation, we are indebted to these bold men and women. With unparalleled commitment and determination, they keep us at the forefront of innovation and help fuel our economy.

During the past decade, more than 600,000 new firms have been created annually. Indeed, just last year, more small businesses were created than at any time in our country's history. Through much of this period, small businesses generated most of the Nation's new jobs. Today, they employ almost 60 percent of the country's private work force.

Growing numbers of women and minorities are empowering themselves through small business ownership, taking risks, and pursuing their entrepreneurial ambitions. New programs are teaching business ownership skills to our youth. And our Administration's Reinventing Government initiative—building a government that works better and costs less—will help sustain this entrepreneurial spirit for generations to come.

As we approach a new era of economic opportunity, our Nation's small business owners continue to inspire us by their example. On behalf of all

Americans, I thank these hardworking citizens across the country for helping to keep the American Dream alive.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 30 through May 6, 1995, as "Small Business Week." I ask all Americans to join me in saluting the small business owners of our Nation during this week with appropriate events and ceremonies.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

#### **Proclamation 6794 of April 29, 1995**

#### **Loyalty Day, 1995**

*By the President of the United States of America*

##### *A Proclamation*

Our country's rich diversity of peoples and cultures has been called "the noble experiment." From its beginnings, our great democracy has guaranteed its citizens the blessings of freedom and the right of self-determination. Each year, with the coming of spring and the rebirth of nature, we pause to consider the progress of our Nation and to reaffirm our allegiance to the American experiment.

Two hundred and twenty years ago in Lexington, Massachusetts, a ragged group of colonial Americans faced a column of British soldiers. As the smoke cleared from the "shot heard round the world," eight American "Minutemen" lay dead-their blood spilled along the path to a new Nation on this soil. Their gift of freedom is held sacred to this day.

All Americans can be proud of the heritage of courage and sacrifice that has extended unbroken through generations of our citizens. The success of the United States today is seen both in our continued prosperity and strength and in our role as an international beacon of liberty. As we recall those who gave their lives for our freedom, we see our Nation's history reflected in their ranks-from the tireless "Minutemen" in Lexington to the brave men and women who fought in the Persian Gulf. These fine citizens, along with their families and those who have served on the home front, deserve our profound respect and gratitude. Let history forever record our loyalty to their legacy.

The Congress, by Public Law 85-529, has designated May 1 of each year as "Loyalty Day." We spend this day in celebration of our Constitution and our precious Bill of Rights and in honor of the sacrifices that have enabled this great charter to endure.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 1, 1995, as Loyalty Day. I call

upon all Americans to observe this day with appropriate ceremonies and activities, including public recitation of the Pledge of Allegiance to the Flag of the United States. I also call upon government officials to display the flag on all government buildings and grounds on this day.

IN WITNESS WHEREOF, I have hereunto set my hand thistwenty-ninth day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6795 of May 3, 1995**

**Asian/Pacific American Heritage Month, 1995**

*By the President of the United States of America*

*A Proclamation*

Like so many people of this Nation, Americans of Asian and Pacific ancestry enjoy dual heritage—the great cultures of the lands of their forebearers and the rich traditions of liberty and equality cherished by the United States. Bringing new values and customs to these shores, Asian and Pacific Americans have immeasurably enriched the quality and character of this country. In every field of endeavor, in public and private sector alike, they have endowed our Nation with unparalleled energy and vision.

We owe a debt of gratitude to these Americans, both for the gift of their talents and for helping us build bridges of understanding to their ancestral lands in the Pacific Community—bridges that help our economies to grow and that widen the path to peace.

Today, our Nation stands at the dawn of a new era of hope and opportunity. We depend as never before on the active involvement of every one of our people to meet the challenges of our changing world. With the strength of our diversity and a continued commitment to the ideal of freedom, all Americans will share in the blessings of the bright future that awaits us.

To honor the achievements of Asian/Pacific Americans and to recognize their many contributions to our Nation, the Congress, by Public Law 102-450, has designated the month of May as “Asian/Pacific American Heritage Month.”

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 1995, as Asian/Pacific American Heritage Month. I call upon the people of the United States to observe this occasion with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON



Proclamation 6796 of May 3, 1995

## Older Americans Month, 1995

*By the President of the United States of America*

### *A Proclamation*

Throughout its history, our Nation has benefited immeasurably from the myriad contributions of its older Americans. Our democracy owes its success in great part to the millions of senior citizens who through their work, their volunteer efforts, and their devotion to their families and communities have helped build the foundation of this country.

Each year, America reserves the month of May to pay tribute to the contributions and sacrifices of older Americans and to reaffirm our commitment to preserving and enhancing their quality of life. When Older Americans Month was established in 1963, only 17 million living Americans had reached their 65th birthday. About a third of older Americans lived in poverty, and there were few programs to meet their needs. But Americans were beginning to take a greater interest in their seniors, encouraged by President John F. Kennedy's strong leadership. Today, there are close to 34 million older Americans, and we are better addressing their needs with programs and laws—from Social Security to the Older Americans Act.

The theme for Older Americans Month this year, "Aging: Generations of Experience," recognizes the tremendous experiences and legacy of past generations that we enjoy today. And this year we proudly mark the 30th anniversary of the Older Americans Act. Through the Act's programs, administered by the Administration on Aging, millions of older Americans receive critical home and community-based care services that enable them to continue to live independently within their homes and among their loved ones and friends.

During this Older Americans Month, several thousand delegates from all across America will gather in Washington, D.C., for the historic White House Conference on Aging. And, during this month, we pay tribute to our country's older Americans and to the family members and volunteers who provide care for them. In addition, as we recognize the 50th anniversary of the end of World War II, we pause to give special recognition to our senior citizens who so valiantly fought for our freedoms.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 1995, as "Older Americans Month." I call upon individual Americans, representatives of government at all levels, businesses and communities, volunteers and educational institutions to appropriately acknowledge the contributions of all older Americans not only this month but also throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6797 of May 11, 1995**

## **Mother's Day, 1995**

*By the President of the United States of America  
A Proclamation*

Each year, Americans pause on the second Sunday of May to celebrate the gift of motherhood. Mother's Day reminds all of us to honor our mothers and to show them our love and appreciation—on this day and throughout the year. Whether we embrace our mothers in person or hold fast to a loving memory, the strength of their spirit and the blessing of their compassion stay with us for a lifetime.

Americans' vitality as a people flows from the health of our families. The heart and soul of our national life, mothers rise each day to take on myriad tasks, from driving a carpool to directing a city council. They are an anchor to generations past and a bridge to the world of the future. Meeting the challenge of motherhood is one of society's greatest responsibilities, and those who do this work every day do a service to all humanity.

Whether biological, foster, or adoptive, mothers have a unique ability to caution and care for their children and to instill in them the values of honesty, respect, and faith. As role models for their children, mothers show by example the infinite possibilities of life.

No matter our age, our mothers are ready to understand, to love, and to listen. We best observe this special day by living our lives to reflect the love they have given us and by teaching our children to hope for a brighter tomorrow.

To honor all mothers and their special place in our hearts, the Congress, by a joint resolution approved May 8, 1914 (38 Stat. 770), has designated the second Sunday in May each year as "Mother's Day" and requested the President to call for its appropriate observance.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Sunday, May 14, 1995, as "Mother's Day." I urge all Americans to consider how much mothers have contributed to the well-being of our Nation. I call upon our citizens to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6798 of May 11, 1995

## National Safe Boating Week, 1995

*By the President of the United States of America*

*A Proclamation*

Recreational boating has become one of this Nation's most popular leisure-time activities. It is estimated that in 1995, more than 76 million Americans will enjoy our country's scenic waterways, engaging in pastimes from fishing and cruising to waterskiing, sailing, and sightseeing. Most Americans will act responsibly in these activities, ensuring the safety of their families and friends. Yet much work remains to be done if we are to make boating safe for all of us.

Studies indicate that in more than 85 percent of the fully documented recreational boating fatalities, the victim was not wearing any type of life jacket. This tragic statistic highlights a simple fact: personal flotation devices can help prevent more than 600 fatalities annually. I urge all Americans to wear them regularly when on our waterways.

The United States Coast Guard, the National Safe Boating Council, and the many State and local recreational boating organizations and governmental agencies are working with volunteer organizations across the country to educate the boating public about the importance of wearing life jackets. This advice applies not only to boat operators but also to passengers and all individuals participating in sporting activities on the waterways. Falling overboard and capsizing are the leading causes of boating fatalities, and more than half of all boating accidents are alcohol-related. But with responsible behavior and the proper precautions, families and friends can experience the joys of boating for years to come.

In recognition of the importance of safe boating practices, the Congress, by joint resolution approved June 4, 1958 [36 U.S.C. 161], as amended, has authorized and requested the President to proclaim annually the seven day period prior to the Memorial Day Weekend, as "National Safe Boating Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 20 through May 26, 1995, as National Safe Boating Week. I encourage the Governors of the 50 States and the Commonwealth of Puerto Rico, and officials of other areas subject to the jurisdiction of the United States, to join in observing this week. I urge all Americans to practice safe recreational boating during these days and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6799 of May 12, 1995**

## **National Defense Transportation Day and National Transportation Week, 1995**

*By the President of the United States of America*  
*A Proclamation*

We Americans enjoy the benefits of the finest transportation system in the world. Our Nation has built a wide network of airports and seaports, railroads and bridges, highways, waterways, and subways. This infrastructure is a mainstay of our economy, an essential part of our national defense, and the means by which our citizens enjoy unprecedented mobility. Such ease of travel unites our land, brings cities and communities closer together, and links our society to the world.

Recent international trade agreements have dramatically changed the global marketplace, creating new opportunities and expanding horizons for all Americans. Our success in this increasingly competitive environment depends as never before on transportation. A system that moves people and goods safely and efficiently helps us to sell our products overseas, spawning new industries and generating jobs at an unprecedented rate.

The national transportation system, with government and industry working together, is a keystone of America's national security strategy. The world is still an unpredictable place, and America continues to have worldwide security and economic interests. The national transportation system gives America the capability to rapidly move military equipment and personnel to meet contingencies, crises, and humanitarian efforts anywhere in the world.

Today, American transportation is moving forward to embrace the exciting possibilities and challenges of the 21st century. Using state-of-the-art technology, we are developing a single integrated system that links all forms of transportation and enables the user—passenger or shipper—to choose the service that best meets the immediate need. The Department of Transportation is working on a National Transportation System to address modern concerns of efficiency and environmental safety, and we are looking toward States, communities, and the private sector to join in investing strategically in the transportation infrastructure of the future.

This week, Americans honor the men and women who build, maintain, and monitor the safety of our transportation system—from air traffic controllers to railroad safety inspectors to aerospace machinists building the planes of tomorrow. We salute our transportation industry workers for their countless contributions to our Nation and for helping to ensure that our transportation system remains the finest in the world.

In recognition of the millions of Americans who work every day to meet our transportation needs, the Congress, by joint resolution approved May 16, 1957 (36 U.S.C. 160), has designated the third Friday in May of each year as "National Defense Transportation Day" and, by joint resolution approved May 14, 1962 (36 U.S.C. 166), declared that the week in which that Friday falls be designated "National Transportation Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Friday, May 19, 1995, as National Defense Transportation Day and May 14 through May 20, 1995, as National Transportation Week. I urge all Americans to observe these occasions with appropriate ceremonies and activities, giving due recognition to the individuals and organizations that build, operate, safeguard, and maintain this country's modern transportation system.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6800 of May 15, 1995**

**Peace Officers Memorial Day and Police Week, 1995**

*By the President of the United States of America*

*A Proclamation*

Each year, we pause to remember and to honor the brave men and women whose heartfelt commitment to the law and to their fellow citizens cost them their lives. During 1994, we lost 56 law enforcement officers to on-duty accidents. Seventy-six officers—72 State and local police and four Federal agents—were murdered. Thirty-three of these officers were wearing body armor when they were killed. All but one were killed with a firearm. Three were gunned down inside police headquarters in our Nation's capital.

America's law enforcement officers face extraordinary risks—breaking up a drug ring, apprehending a fugitive, responding to an incident of domestic violence, even making a traffic stop. Since the first recorded police death in this country in 1794, more than 13,500 law enforcement officers have been killed in the line of duty. On average, more than 62,000 officers are assaulted and some 20,000 are injured each year.

Tragically, the dangers of law enforcement service are increasing. From 1960 to 1993, the number of violent crimes in America increased 567 percent. In the past 10 years, it increased 51 percent. During 1993, more than 1.9 million violent crimes—murders, rapes, robberies, and assaults—were reported to police. And our police responded.

Despite the rising tide of crime, good and brave men and women continue to join the ranks of law enforcement. Today, more than 600,000 sworn officers work every day to preserve the peace and improve the safety of cities and towns across America. These heroic individuals and their fallen colleagues come from many different backgrounds. But they are linked by a common faith—that freedom is worth defending and that justice shall prevail. For those who died to uphold these ideals and for those who still stand to protect them, we salute America's law enforcement officials.

The Congress, by a joint resolution approved October 1, 1962 (76 Stat. 676), has authorized and requested the President to designate May 15 of each

year as "Peace Officers Memorial Day," and the week in which it falls as "Police Week," and by Public Law 103-322 (36 U.S.C. 175) has requested that the flag be flown at half-staff on Peace Officers Memorial Day.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 15, 1995, as Peace Officers Memorial Day, and May 14-20, 1995, as Police Week. I call upon the people of the United States to observe this occasion with appropriate programs, ceremonies, and activities. I also request the Governors of the United States and the Commonwealth of Puerto Rico, and the appropriate officials of all units of government, to direct that the flag be flown at half-staff on Peace Officers Memorial Day on all buildings, grounds, and naval vessels throughout the United States and in all areas under its jurisdiction and control, and I invite the people of the United States to display the flag at half-staff from their homes on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6801 of May 17, 1995**

## **Labor History Month, 1995**

*By the President of the United States of America*

### *A Proclamation*

Among the most insistent themes in the history of American democracy has been the determination of our workers to find dignity in their work and meaning in their citizenship. The labor movement has long given voice to these aspirations. American trade unionists have fought for and achieved benefits for all of us by strengthening citizens' roles in the workplace and by expanding their participation in the political lives of their communities.

Gone is the time when the average American worker made about ten dollars for a 60-hour week, and more than 2 million children worked similarly long hours for even less pay. The national labor movement has helped ensure safe working conditions, regular hours, decent living wages, and paid holidays and vacations. And in 1993 we moved a step further, affording hard-working Americans the right to emergency family leave.

Workers have been leaders in the efforts to establish the 8-hour day, the 40-hour week, security in unemployment and old age, protection for the sick and injured and for children, equal employment opportunity, and health and safety standards. And the labor movement has strived to make public education available for every child. American workers have helped to make this progress possible, and our country is immeasurably stronger because of it.

As we observe Labor History Month this year, we understand that our work is not yet finished. Today's global marketplace demands that we establish and strengthen partnerships between employers and unions, cooperate to

achieve safe, high-performance work environments, improve the skills of American workers and the competitiveness of American businesses, and further enhance human dignity in the workplace. The challenges we face are many, but the history of our accomplishments assures us that the future looks bright indeed.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 1995, as "Labor History Month." I call upon the people of the United States to observe this period with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

#### **Proclamation 6802 of May 18, 1995**

#### **Prayer for Peace, Memorial Day, 1995**

*By the President of the United States of America*

##### *A Proclamation*

The essence of America is the quality and breadth of the freedoms guaranteed by the Constitution. Yet far too often in our country's history, the price of preserving these freedoms has been the lives of our Nation's young men and women and the heartbreak of their families and friends. The light and laughter of our lost sons and daughters can never be replaced. But the gift of their courage will always endure. America remembers the sacrifices of those who gave their lives to protect our liberty. For our citizens and for freedom-loving people around the world, they have kept democracy's flame burning brightly.

Forged in revolution and tempered by more than two centuries of fighting injustice, America has grown stronger, determined to safeguard the blessings that have been so hard-won. As we recall the selfless devotion of those who have risen to defend the cause of freedom, we resolve today that their efforts shall not have been in vain. America still holds fast to the principles upon which it was founded, and its people still stand bound together by our common faith in peace. In remembrance of our fallen heroes, we pray that peace will forever grace our land, that it will guide relations between citizens and friendships among nations, and that our people will one day see a time when harmony fills the Earth.

May God comfort all who mourn.

In respect and recognition of the courageous men and women to whom we pay tribute, the Congress, by joint resolution approved on May 11, 1950 (64 Stat. 158), has requested the President to issue a proclamation calling upon the people of the United States to observe each Memorial Day as a day of prayer for permanent peace and designating a period on that day when the people of the United States might unite in prayer.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Memorial Day, May 29, 1995, as a day of prayer for permanent peace. I designate the hour beginning in each locality at 11 o'clock in the morning of that day as a time to join in prayer. I urge the press, radio, television, and all information media to take part in this observance.

I also request the Governors of the United States and the Commonwealth of Puerto Rico, and the appropriate officials of all units of government, to direct that the flag be flown at half-staff until noon during this Memorial Day on all buildings, grounds, and naval vessels throughout the United States and in all areas under its jurisdiction and control, and I request the people of the United States to display the flag at half-staff from their homes for the customary forenoon period.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6803 of May 19, 1995**

### **National Maritime Day, 1995**

*By the President of the United States of America*

#### *A Proclamation*

The United States owes much to our merchant sailors. At our Nation's beginning, these outstanding citizens opened new avenues of commerce and helped nurture a fledgling democracy into a beacon of freedom for people around the world. Since President Franklin D. Roosevelt first proclaimed National Maritime Day 62 years ago, the U.S. Merchant Marine has built on its legacy of patriotism. Its great tradition of courage and valor is an inspiration to all Americans.

This year, as we honor those who served and sacrificed for our Nation during World War II, the contributions of the U.S. Merchant Marine are a special source of pride. We will always remember the heroism of those mariners and the dangers they faced to protect our liberty.

America's Merchant Marine and civilian seafarers have put themselves at risk time and again to support our Armed Forces. They provided pivotal service during OPERATION DESERT STORM, during America's humanitarian mission in Somalia, and throughout OPERATION RESTORE DEMOCRACY in Haiti.

Today, our country remains determined to maintain a strong U.S. flag presence on the high seas, a commitment central to advancing our Nation's national and economic security. I urge Americans to join efforts in support of maritime revitalization legislation and our ongoing shipbuilding production program. Americans' pioneering spirit has endowed our Nation with the most innovative maritime technologies and the most skilled maritime



labor force on Earth. Working together, we can preserve this critical advantage for generations to come.

In recognition of the importance of the U.S. Merchant Marine, the Congress, by a joint resolution approved May 20, 1933, has designated May 22 of each year as "National Maritime Day" and has authorized and requested the President to issue annually a proclamation calling for its appropriate observance.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 22, 1995, as National Maritime Day. I urge the people of the United States to observe this day with appropriate programs, ceremonies, and activities and by displaying the flag of the United States at their homes and in their communities. I also request that all ships sailing under the American flag dress ship on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6804 of May 22, 1995

## To Modify Duty-Free Treatment Under the Generalized System of Preferences and for Other Purposes

*By the President of the United States of America*  
*A Proclamation*

1. Pursuant to section 504(c) of the Trade Act of 1974, as amended ("Trade Act") (19 U.S.C. 2464(c)), beneficiary developing countries, except those designated as least-developed beneficiary developing countries pursuant to section 504(c)(6) of the Trade Act, are subject to limitations on the preferential treatment afforded under the Generalized System of Preferences (GSP). I have determined, pursuant to sections 504(a)(1), (c)(1), and (c)(2) of the Trade Act (19 U.S.C. 2464(a)(1), (c)(1), and (c)(2)), that certain beneficiary developing countries should no longer receive preferential tariff treatment under the GSP with respect to certain eligible articles.

2. To reflect clearly the names of certain beneficiary developing countries under the GSP, I have decided that it is necessary and appropriate to modify general note 4 of the Harmonized Tariff Schedule of the United States (HTS).

3. In Proclamation No. 6767 of February 3, 1995, conforming changes with respect to certain articles under the GSP were omitted. I have decided that it is necessary and appropriate to modify the HTS to make such conforming changes.

4. Proclamation No. 6763 of December 23, 1994, implemented the Uruguay Round Agreements, including Schedule XX, with respect to the United States and incorporated in the HTS tariff modifications necessary and appropriate to carry out the Uruguay Round Agreements. Certain technical er-

rors, including inadvertent omissions, were made in that proclamation. I have determined that it is necessary to reflect accurately the intended tariff treatment provided for in the Uruguay Round Agreements to modify certain provisions of the HTS as set forth in Annex III to this proclamation.

5. Section 604 of the Trade Act (19 U.S.C. 2483) authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, and of other Acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to sections 504 and 604 of the Trade Act, do proclaim that:

(1)(a) To make certain conforming changes, the Rates of Duty 1-Special subcolumn for each of the HTS subheadings enumerated in Annex I(A) to this proclamation is modified: (i) by deleting the symbol "A\*" in parentheses, and (ii) by inserting the symbol "A" in lieu thereof.

(b) To provide that one or more countries should no longer be treated as a beneficiary developing country with respect to an eligible article for purposes of the GSP, the Rates of Duty 1-Special subcolumn for each of the HTS provisions enumerated in Annex I(B) to this proclamation is modified: (i) by deleting the symbol "A" in parentheses, and (ii) by inserting the symbol "A\*" in lieu thereof.

(2) To reflect clearly the names of certain beneficiaries and to provide that one or more countries are no longer to be treated as beneficiary developing countries with respect to an eligible article for purposes of the GSP, general note 4 to the HTS is modified as provided in Annex II to this proclamation.

(3) The HTS is modified as provided in Annex III to this proclamation.

(4) Any provisions of previous proclamations and Executive orders inconsistent with the provisions of this proclamation are hereby superseded to the extent of such inconsistency.

(5)(a) The modifications made by Annexes I and II to this proclamation shall be effective with respect to articles both: (i) imported on or after January 1, 1976, and (ii) entered, or withdrawn from warehouse for consumption, on or after July 1, 1995.

(b) The modifications made by Annex III to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the dates specified in such annex.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

## Annex I

Modification in the HTS of an Article's Preferential  
Tariff Treatment under the GSP

Effective with respect to articles both: (i) imported on or after January 1, 1976, and (ii) entered, or withdrawn from warehouse for consumption, on or after July 1, 1995.

(A). For the following HTS subheadings, in the Rates of Duty 1-Special subcolumn, delete the symbol "A\*" and insert an "A" in lieu thereof:

3909.10.00	8419.90.10
4011.91.50	8517.30.15
8419.19.00	

(B). For the following HTS provisions, in the Rates of Duty 1-Special subcolumn, delete the symbol "A" and insert an "A\*" in lieu thereof:

0304.20.50	0813.40.10	2208.90.10	6501.00.60	8483.50.40
0703.10.20	0813.40.80	2208.90.70	7002.10.20	8517.82.40
0708.10.20	1106.30.20	2309.90.70	7106.92.00	8519.21.00
0708.10.40	1519.11.00	2401.10.21	7109.00.00	8519.31.00
0709.10.00	1519.12.00	2401.10.29	7113.20.21	8519.99.00
0709.20.10	1601.00.40	2401.20.45	7114.19.00	8521.10.90
0710.22.15	1604.14.50	2401.20.55	7115.90.20	8527.90.90
0710.29.05	1604.16.30	2516.90.00	7319.20.00	8528.10.04
0710.29.30	1604.30.20	3920.93.00	7407.29.15	8528.10.11
0710.80.50	1605.10.05	4006.10.00	7603.10.00	8528.10.13
0710.80.65	1702.90.35	4104.39.20	7604.10.50	8528.10.34
0710.80.93	1703.90.30	4202.22.35	7614.90.20	8802.50.90
0711.30.00	1902.11.40	4205.00.60	7614.90.50	9006.53.00
0711.40.00	2005.80.00	4412.19.30	7615.10.10	9009.12.00
0714.10.00	2007.99.40	4412.19.40	8107.90.00	9018.11.60
0714.20.00	2007.99.48	4412.99.40	8112.11.60	9102.29.04
0714.90.10	2008.19.30	4421.90.10	8112.91.50	9303.90.80
0802.50.20	2008.50.20	4823.90.20	8213.00.60	9401.90.15
0802.50.40	2008.99.28	5209.51.30	8401.10.00	9506.61.00
0804.50.80	2008.99.35	5307.20.00	8402.20.00	9606.29.20
0811.20.20	2106.90.52	5607.30.20	8414.90.30	9614.20.60
0811.20.40	2202.90.36	5609.00.20	8419.90.20	9614.20.80
0811.90.50	2202.90.37	5702.99.20	8450.90.40	
0811.90.55	2207.10.30	5703.90.00	8469.10.80	

## Annex II

## Modifications to General Note 4 of the HTS

Effective with respect to articles both: (i) imported on or after January 1, 1976, and (ii) entered, or withdrawn from warehouse for consumption, on or after July 1, 1995.

(A). General note 4(a) is modified by:

(1). deleting "Each of the former republics of the Socialist Federal Republic of Yugoslavia other than Serbia and Montenegro" from the list of independent countries; and

(2). inserting the following countries in alphabetical order in the list of independent countries--

Bosnia and Hercegovina  
Croatia

Macedonia, Former Yugoslav  
Republic of  
Slovenia

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## Annex II (continued)

(B). General note 4(d) is modified by:

(1). adding in numerical sequence, the following HTS subheadings and countries set out opposite them:

0304.20.50	Argentina	4202.22.35	Philippines
0703.10.20	Chile	4205.00.60	Argentina
0708.10.20	Guatemala	4412.19.30	Russia
0708.10.40	Guatemala	4412.19.40	Indonesia
0709.10.00	Chile	4412.99.40	Indonesia
0709.20.10	Peru	4421.90.10	Honduras
0710.22.15	Guatemala	4823.90.20	Philippines
0710.29.05	Turkey	5209.51.30	India
0710.29.30	Dominican Republic	5307.20.00	India
0710.80.50	Dominican Republic	5607.30.20	Philippines
0710.80.65	Guatemala	5609.00.20	Philippines
0710.80.93	Guatemala	5702.99.20	India
0711.30.00	Turkey	5703.90.00	India
0711.40.00	Sri Lanka	6501.00.60	Czech Republic
0714.10.00	Costa Rica	7002.10.20	Malaysia
0714.20.00	Dominican Republic	7106.92.00	Chile
0714.90.10	Costa Rica	7109.00.00	Chile
0802.50.20	Turkey	7113.20.21	Oman
0802.50.40	Turkey	7114.19.00	Chile
0804.50.80	Thailand	7115.90.20	Argentina
0811.20.20	Chile	7319.20.00	Malaysia
0811.20.40	Chile	7407.29.15	Chile
0811.90.50	Costa Rica	7603.10.00	Bahrain
0811.90.55	Guatemala	7604.10.50	Russia
0813.40.10	Thailand	7614.90.20	Venezuela
0813.40.80	Thailand	7614.90.50	Venezuela
1106.30.20	Ecuador	7615.10.10	Thailand
1519.11.00	Malaysia	8107.90.00	Bulgaria
1519.12.00	Malaysia	8112.11.60	Kazakhstan
1601.00.40	Brazil	8112.91.50	Chile
1604.14.50	Thailand	8213.00.60	Brazil
1604.16.30	Morocco	8401.10.00	Russia
1604.30.20	Russia	8402.20.00	Colombia
1605.10.05	Thailand	8414.90.30	Slovenia
1702.90.35	Belize	8419.90.20	Brazil
1703.90.30	Lebanon	8450.90.40	Brazil
1902.11.40	Thailand	8469.10.80	Indonesia
2005.80.00	Thailand	8483.50.40	Malaysia
2007.99.40	Thailand	8517.82.40	Thailand
2007.99.48	Argentina	8519.21.00	Malaysia
2008.19.30	Turkey	8519.31.00	Malaysia
2008.50.20	Argentina	8519.99.00	Malaysia
2008.99.28	Turkey	8521.10.90	Malaysia
2008.99.35	Thailand	8527.90.90	Philippines
2106.90.52	Philippines	8528.10.04	Hungary
2202.90.36	Colombia	8528.10.11	Malaysia
2202.90.37	Dominican Republic	8528.10.13	Malaysia
2207.10.30	Ecuador	8528.10.34	Malaysia
2208.90.10	Trinidad and Tobago	8802.50.90	Russia
2208.90.70	Russia	9006.53.00	Malaysia
2309.90.70	Hungary	9009.12.00	Thailand
2401.10.21	Dominican Republic	9018.11.60	Argentina
2401.10.29	Honduras	9102.29.04	Philippines
2401.20.45	Indonesia	9303.90.80	Russia
2401.20.55	Indonesia	9401.90.15	Czech Republic
2516.90.00	South Africa	9506.61.00	Philippines
3920.93.00	India	9606.29.20	Thailand
4006.10.00	Brazil	9614.20.60	Turkey
4104.39.20	Thailand	9614.20.80	Turkey

## Annex II (continued)

(B). (con.):

(2). adding, in alphabetical order, the country set out opposite the following HTS subheadings:

1701.99.05	Colombia	2917.14.10	Brazil
1701.99.10	Colombia	2917.37.00	Romania
2804.29.00	Ukraine	2933.29.45	Slovenia
2805.40.00	Russia	2933.40.08	Hungary
2825.30.00	South Africa	2933.71.00	Russia
2825.70.00	Chile	2938.10.00	Brazil
2840.11.00	Turkey	3806.30.00	Argentina
2843.21.00	Chile	3823.90.40	Malaysia
2903.14.00	Brazil	4106.19.30	Pakistan
2903.23.00	Brazil	4106.20.60	Pakistan
2905.11.20	Trinidad and Tobago	4107.90.60	South Africa
2907.15.10	Russia	7202.21.10	Macedonia, Former
2910.20.00	Brazil		Yugoslav Republic of
2915.34.00	Venezuela	7403.12.00	Peru
2915.35.00	Venezuela	7605.11.00	Russia

## Annex III

## Modifications to the HTS

Section A. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1995.

(1). General note 4(d) is modified by deleting "2921.43.18 India" and "2924.29.46 India" and by inserting "2921.43.19 India" and "2924.29.47 India" in numerical sequence.

(2). General note 4(d) is modified by deleting "2930.40.00 India", "2933.51.10 India", "2934.30.08 India", "2934.30.15 India" and "9504.20.60 Brazil" from such note.

(3). General note 4(d) is modified by inserting "2935.00.32 India" in numerical sequence in such note.

(4). The Rates of Duty 1-Special subcolumn for subheadings 0202.30.02 and 0202.30.10 is modified by inserting, in alphabetical order, the symbol "A" in the parentheses following the Free rate of duty in such subcolumn.

(5). The superior text immediately preceding subheading 9904.04.59 is deleted and the following "Provided for in subheadings 0404.10.15, 1517.90.60, 1704.90.58, 1806.20.82, 1806.20.83, 1806.32.70, 1806.32.80, 1806.90.08, 1806.90.10, 1901.20.15, 1901.20.50, 2106.90.66 or 2106.90.87" is inserted in lieu thereof.

Section B. For the following subheading, the Rates of Duty 1-General subcolumn is modified on January 1 of each year by deleting the existing general rate of duty and inserting in lieu thereof the rate of duty indicated in the table below for such year.

HTS Subheading	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
3823.90.46	16.8%	15.7%	14.6%	13.4%	12.2%	11.1%	10%	8.8%	7.6%	6.5%

**Proclamation 6805 of May 22, 1995**

## **World Trade Week, 1995**

*By the President of the United States of America*

### *A Proclamation*

American exports bolster the quality of life for countless people, supporting 10.5 million jobs here at home and supplying popular American products to millions worldwide. They fuel our Nation's economy, create high-wage jobs for our citizens, and link us to countries everywhere. That is why my Administration supported NAFTA and brought the Uruguay Round GATT negotiations to a successful conclusion. As we celebrate World Trade Week this year, we pause to recognize the many ways in which "Exporting is Everybody's Business."

In the two years since my Administration launched this country's first National Export Strategy, America has led the way in trade promotion and advocacy efforts, strengthening existing programs and developing new initiatives to serve U.S. exporters. The Trade Promotion Coordinating Committee (TPCC) has worked to create a more streamlined, responsive, and effective system that enhances our Nation's economy and helps our firms to compete successfully around the globe.

During the past year, we have worked to develop a new, innovative trade finance strategy. The Export-Import Bank of the United States, the Overseas Private Investment Corporation, the Trade and Development Agency, the Small Business Administration, and the Departments of the Treasury and Commerce have provided new forms of trade finance that help our firms to compete in the global marketplace. We are addressing the removal of unnecessary and ineffective export controls and streamlining the licensing process, liberalizing controls on a range of high-technology products and increasing the effectiveness of multilateral control regimes.

With the restructuring of the U.S. and Foreign Commercial Service, now the Commercial Service of the United States, the Department of Commerce is working in partnership with the businesses it serves, promoting U.S. exports, advocating U.S. business interests abroad, assisting U.S. firms to realize their export potential, and supporting the export promotion efforts of other public and private organizations. By the end of this year, 15 U.S. Export Assistance Centers will be open across the country, offering virtually every American business person a coordinated, multi-faceted, international trade team close at hand.

Already, U.S. exports to our neighbors in the Southern Hemisphere exceed \$92 billion, generating good jobs for our workers and demonstrating our competitiveness throughout the international marketplace. At the Summit of the Americas this past December, our Nation reaffirmed its commitment to the extension of free trade throughout the Hemisphere by the year 2005—an opportunity that promises to bolster our economy even further. These efforts, combined with our progress with the countries of the Organization for Asian-Pacific Economic Cooperation (APEC), mean trade gains of

historic proportions. And that means more jobs for hardworking Americans.

Still, much remains to be done. U.S. exporters must be given every opportunity to sell our products freely and fairly. Our companies must meet the challenge of venturing into new markets. They must keep quality high and production efficient, while marketing American goods and services to new customers around the world. The work is difficult, but the rewards are great: a strong economy, better goods and services, and a brighter future for all of us.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 21 through May 27, 1995, as "World Trade Week." I invite the people of the United States to join in appropriate observances to celebrate the potential of international trade to create prosperity for all.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6806 of May 26, 1995**

**Time for the National Observance of the Fiftieth Anniversary of World War II, 1995**

*By the President of the United States of America*  
*A Proclamation*

In remembering the nightmare we now know as World War II, it is natural and fitting that we pause to mourn our loss. Eleven million service members—more than 400,000 of them American—perished in that war. Countless more civilians died in its awful course. We Americans retain a special bond to all of these heroes. We've seen pictures of their faces and told stories of their courage. For when the darkest days of fear seemed to tear our world apart, the brave millions we now honor kept liberty alive.

As the forces of oppression sought to extinguish freedom's light, Americans from every walk of life heard the call to service. Women joined our Nation's factories, and farmers doubled their efforts in our fields. Victory gardens flourished across the land, and although the rationing of goods made our dinners less than feasts, the sharing of a cause filled our hearts with hope. Hand in hand, our parents and grandparents led our Nation on to victory, and together with our allies, we prevailed.

Like the men and women who fought half a century ago, Americans today are just as bound to defend the cause of freedom. Now as then, we are privileged to see the triumph of democracy in nations too long oppressed. Now as then, we know that service is our highest call. And still today, we pray for lasting peace.

May the spirit of those prayers forever grace our land. May they guide relations between citizens and friendships among nations. May our children remember our cause well, and may they one day see a time when harmony fills the Earth.

The Congress, by Public Law 103-291, has designated May 29, 1995, through June 6, 1995, as a "Time for the National Observance of the Fiftieth Anniversary of World War II."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 29, 1995, through June 6, 1995, as a Time for the National Observance of the Fiftieth Anniversary of World War II. I call upon all Americans to celebrate these days with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6807 of June 2, 1995**

**National Homeownership Day, 1995**

*By the President of the United States of America  
A Proclamation*

Throughout the more than two hundred years since our Nation was founded, Americans have embraced the dream of homeownership. Strengthening families, establishing communities, and fostering prosperity, homeownership is the cornerstone of our economy and a common thread in our national life. Thanks to a tradition of cooperation between government and industry, the doors of homeownership have been opened to millions of Americans. And the United States is one of the first countries in the world to make homeownership a reality for a majority of its people.

For the better part of this century, America has made homeownership a priority of national policy. The National Housing Act of 1934 created the Federal Housing Administration's home mortgage insurance program, empowering more than 23 million Americans to buy their own homes. In 1944, the GI Bill of Rights set up the Veterans Administration's home loan guaranty program, enabling millions of veterans to start a new life for themselves and their families. The Housing Act of 1949 declared that every American family should enjoy a "decent home and a suitable living environment"—an ideal that has been reaffirmed in myriad ways since then.

Our country's long-standing commitment to this goal is a testament to the tremendous rewards of homeownership. Homeownership spurs the production and sales of goods and services, generating new jobs and brightening America's economic horizon. It encourages savings and investment, promotes economic and civic responsibility, and enhances the financial security of the American people. Perhaps most important, homeownership gives Americans pride in their neighborhoods and hope for a brighter tomorrow.



NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim June 5, 1995, as "National Homeownership Day." I urge all of our citizens to observe this day with appropriate programs, ceremonies, and activities that celebrate the great American Dream.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of June, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6808 of June 9, 1995**

### **Flag Day and National Flag Week, 1995**

*By the President of the United States of America*  
*A Proclamation*

This week, Americans celebrate the Flag of the United States, which for more than two centuries has brought our people together in a common bond of citizenship. We reaffirm our allegiance to freedom's banner—"Old Glory"—and to the proud history it has inspired. We honor the valor and sacrifices of all who have defended it—in public service and on battle-grounds around the world. And we rededicate ourselves to the democratic ideals stitched forever into the fabric of America.

In towns and cities across the country, public buildings fly the Stars and Stripes as a symbol of our Nation's spirit of community. That spirit was never more evident than this past April in Oklahoma, where the flag appeared on the sleeves of rescue workers, emergency personnel, and volunteers from throughout the land. A shining badge of honor, it reminded all who mourned that we Americans have seen countless trials and have emerged from each one stronger than ever.

Earlier this year, in expressing our gratitude to the men and women who served in uniform during the Second World War, the Nation observed the fiftieth anniversary of the Battle of Iwo Jima. We recalled the day, immortalized in sculpture, when a team of brave Americans beat all odds and hoisted aloft the American flag. May we, the heirs of the freedom they fought to defend, always remember their courage and serve as loyal standard-bearers for the cause of liberty.

To commemorate the adoption of our flag, the Congress, by a joint resolution approved August 3, 1949 (63 Stat. 492), designated June 14 of each year as "Flag Day" and requested the President to issue an annual Proclamation calling for its observance and for the display of the Flag of the United States on all Government buildings. The Congress also requested the President, by joint resolution approved June 9, 1966 (80 Stat. 194), to issue annually a Proclamation designating the week in which June 14 occurs as "National Flag Week," and calling upon all citizens of the United States to display the flag during that week.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim June 14, 1995, as Flag Day and the week beginning June 11, 1995, as National Flag Week. I direct the appropriate officials of the Government to display the Flag of the United States on all Government buildings during that week. I urge Americans to observe Flag Day, June 14, and Flag Week by flying the Stars and Stripes from their homes and other suitable places.

I also call upon the American people to observe with pride and all due ceremony those days from Flag Day through Independence Day, also set aside by the Congress (89 Stat. 211), as a time to honor America and to celebrate our heritage in public gatherings and activities and to publicly recite the Pledge of Allegiance to the Flag of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of June, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6809 of June 12, 1995**

**Father's Day, 1995**

*By the President of the United States of America  
A Proclamation*

As children finish the school year and families begin to enjoy the long days of summer, Americans across the country reach out to their fathers in thanks. Every year, Father's Day gives us a chance to spend time with our families and to honor the bond between parent and child. It is a moment for dads to find joy in the blessings that fatherhood brings. And it is a day for remembering that children can grow up immeasurably stronger with the gift of a father's love.

The most fortunate among us can claim warm memories of our fathers' lessons—times when dads can be models of energy and patience. Whether encouraging their children in taking their first steps, riding a bike or meeting other challenges in life, fathers teach us the importance of balance and stand behind us until we're steady. Through the scrapes and self-doubts that every young person confronts, fathers can be our role models and heroes, soothing childhood fears and instilling the steady values of hard work and fair play. They are our guidance counselors and our best friends. Their faith inspires us to try again when we fail and fills us with pride when we succeed. As coaches and caregivers, teachers and workers, fathers who make parenthood a priority earn their families' lasting respect.

We Americans rely on our fathers for courage and compassion, and the security of having them with us gives us confidence in all of our endeavors. On this special day, let America's sons and daughters show their fathers that they care. Let us continue to strive for a world in which every child grows up safe—a world in which every child knows that though they may feel sometimes unsteady, their fathers are behind them always.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, in accordance with a joint resolution of the Congress approved April 24, 1972 (36 U.S.C. 142a), do hereby proclaim Sunday, June 18, 1995, as "Father's Day." I invite the States, communities, and citizens of the United States to observe this day with appropriate ceremonies and activities that demonstrate our deep appreciation and affection for our fathers.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of June, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

**Proclamation 6810 of July 17, 1995**

**Captive Nations Week, 1995**

*By the President of the United States of America*

*A Proclamation*

As we mark the 36th observance of "Captive Nations Week," Americans reflect on the sorrow of peoples throughout the world who are physically and spiritually oppressed by their governments. In our hearts, we know that the ongoing struggle for individual liberty is part of a larger cause—an international quest for true peace. Recent years have seen great progress in the global march toward freedom. But far too many of humanity's children still live in fear.

Our commemoration of this week reflects the concern of Americans for all of those in need. Having sustained the promise of democracy for more than 200 years, we understand its many blessings and its profound importance in the world. While we celebrate the triumph of democratic governments in nations around the globe, we stay bound to those who remain prisoners of violence, poverty, and prejudice. As beneficiaries of freedom's power, we must champion their struggle, promoting respect for human dignity everywhere on Earth.

Stripped of fundamental personal rights and barred from realizing their political voice, the captive citizens of authoritarian regimes share our people's dreams of happiness. Today, in nations of the former Soviet bloc and from Asia to Africa to Latin America, our new democratic friends are acting on their hopes for opportunity and prosperity, recognizing that respect for individual freedom is the key to internal and international stability. America plays a vital role in this process of growth and change. As President John F. Kennedy said years ago, our "historic task in this embattled age is not merely to defend freedom. It is to extend its writ and strengthen its covenant." We Americans have an enormous stake in the fate of captive nations. Their future is no less than our greatest hope for peace.

The Congress, by Joint Resolution approved July 17, 1959 (73 Stat. 212), has authorized and requested the President to issue a proclamation designating the third week in July of each year as "Captive Nations Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim July 16 through July 22, 1995, as Captive Nations Week. I call upon the people of the United States to observe this week with appropriate ceremonies and activities, rededicating ourselves to the principles of freedom and justice on which this Nation was founded and by which it will ever endure.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of July, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6811 of July 21, 1995**

**Parents' Day, 1995**

*By the President of the United States of America  
A Proclamation*

Parenthood is among the most difficult and most rewarding responsibilities in life. Balancing countless demands, parents must be firm yet loving, protective yet liberating. They are the nurturers of our dreams and the soothers of our fears. They instill in their children, by word and example, the importance of family and community involvement, the value of education and hard work.

Parenting is a serious responsibility. All parents have an obligation to provide for the children they bring into the world. Parents must teach and sustain, helping to empower each new generation to meet the challenges and opportunities of life with confidence.

Today, across our country, parents give their time and energy to ensure a better future for their children. Teaching the lessons of honesty and caring in a way that no school or government can, America's parents pass on the spirit, values, and traditions that have made our Nation strong for more than two centuries. Whether stepparents or foster parents, biological or adoptive, parents provide the security, stability, and love that enable children to grow up healthy, happy, and strong.

Parents' Day is a welcome opportunity to celebrate the special and powerful bond between parent and child. On this occasion, let us remember and pay respect to those who give us the daily support and loving guidance that lead us to become responsible and contributing citizens.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, in accordance with Public Law 103-362, do hereby proclaim Sunday, July 23, 1995, as "Parents' Day." I invite the States, communities, and the people of the United States to observe this day with appropriate ceremonies and activities expressing gratitude and abiding affection for parents.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of July, in the year of our Lord nineteen hundred and ninety-five, and of

the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6812 of July 26, 1995**

**National Korean War Veterans Armistice Day, 1995**

*By the President of the United States of America*

*A Proclamation*

On July 27, 1953, the guns finally fell silent over the Korean peninsula. Three years of fierce struggle, costing over 600,000 lives among U.S. and allied combatants, ended with a negotiated cease-fire at Panmunjom. At that moment, in the midst of the Cold War, facing the burden of containing a hostile communist world, America could not yet see clearly all that the Korean War had achieved.

Time and history have cleared our vision. More than four decades later, we look back in awe and gratitude at what our Armed Forces and allies accomplished in Korea. Under the banner of the United Nations, they fought to defend freedom and human dignity in the Korean peninsula, demonstrating to the world's totalitarian regimes that men and women of goodwill were ready to pay the ultimate price so that others might enjoy the blessings of liberty. They helped the Republic of South Korea grow, survive, and prosper as an independent and democratic nation and a strong friend of the United States. With their quiet courage and stern resolve, American troops sowed the seeds for the triumph of democracy that is sweeping across the globe today.

Now, at long last, we have a fitting memorial to honor the achievements and the sacrifice of our Korean War veterans. From across this country and around the world, these veterans will gather in our Nation's capital to dedicate the Korean War Veterans Memorial, the enduring testament to their valor and generosity of spirit. America honors their service; we remember their sacrifice; and we are forever in their debt.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim July 27, 1995, as "National Korean War Veterans Armistice Day." I call upon all Americans to observe this day with appropriate programs, ceremonies, and activities in honor of our Nation's Korean War veterans.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of July, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6813 of July 28, 1995

## To Amend the Generalized System of Preferences

*By the President of the United States of America*

### *A Proclamation*

1. Pursuant to section 504(c) of the Trade Act of 1974, as amended ("Trade Act") (19 U.S.C. 2464(c)), beneficiary developing countries are subject to limitations on the preferential treatment afforded under the Generalized System of Preferences (GSP). Pursuant to section 504(c)(3) of the Trade Act, the President may waive the application of section 504(c) of the Trade Act after receiving the advice of the International Trade Commission, determining that the waiver is in the national economic interest of the United States, and publishing such determination in the *Federal Register*. Pursuant to section 504(c)(5) of the Trade Act, a country that is no longer treated as a beneficiary developing country with respect to an eligible article may be redesignated as a beneficiary developing country with respect to such article if imports of such article from such country did not exceed the limitations in section 504(c)(1) of the Trade Act during the preceding calendar year. Pursuant to section 504(d)(2) of the Trade Act (19 U.S.C. 2464(d)(2)), the President may disregard the limitations provided in section 504(c)(1)(B) of the Trade Act with respect to any eligible article if the appraised value of the total imports of such article into the United States during the preceding calendar year is not in excess of an amount that bears the same ratio to \$5,000,000 as the gross national product of the United States for that calendar year (as determined by the Department of Commerce) bears to the gross national product of the United States for calendar year 1979.

2. Section 502(b)(7) of the Trade Act (19 U.S.C. 2462(b)(7)) provides that a country that has not taken or is not taking steps to afford workers in that country internationally recognized worker rights, as defined in section 502(a)(4) of the Trade Act (19 U.S.C. 2462(a)(4)), is ineligible for designation as a beneficiary developing country for purposes of the GSP. Section 502(c)(7) of the Trade Act (19 U.S.C. 2462(c)(7)) provides that, in determining whether to designate a country as a beneficiary developing country under the GSP, the President shall take into account whether the country has taken or is taking steps to afford internationally recognized worker rights to workers in that country. Section 504 of the Trade Act (19 U.S.C. 2464) authorizes the President to withdraw, suspend, or limit the application of duty-free treatment under the GSP with respect to any country after considering the factors set forth in sections 501 and 502(c) of the Trade Act (19 U.S.C. 2461 and 2462(c)).

3. Pursuant to section 504(c)(3) of the Trade Act, I have determined that it is appropriate to waive the application of section 504(c) of the Trade Act with respect to certain eligible articles from a beneficiary developing country. I have received the advice of the International Trade Commission on whether any industries in the United States are likely to be adversely affected by such waivers and I have determined, based on that advice and the considerations described in sections 501 and 502(c) of the Trade Act, that such waivers are in the national economic interest of the United States. Pursuant to section 504(c)(5) of the Trade Act, I have determined that a country should be redesignated as a beneficiary developing country.

with respect to certain eligible articles. Pursuant to section 504(d)(2) of the Trade Act, I have determined that section 504(c)(1)(B) of the Trade Act should not apply with respect to certain eligible articles.

4. Pursuant to sections 502(b)(7), 502(c)(7), and 504 of the Trade Act, I have determined that Maldives has not taken and is not taking steps to afford internationally recognized worker rights to workers in Maldives. Accordingly, I have determined that it is appropriate to suspend the designation of Maldives as a beneficiary developing country for purposes of the GSP.

5. Pursuant to sections 501 and 502 of the Trade Act, and having due regard for the eligibility criteria set forth therein, I have determined that it is appropriate to designate Moldova as a beneficiary developing country for purposes of the GSP.

6. Section 604 of the Trade Act (19 U.S.C. 2483) authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTS) the substance of the provisions of that Act, and of other acts affecting import treatment, and actions thereunder.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to sections 501, 502, 504, and 604 of the Trade Act, do proclaim that:

(1) In order to restore preferential tariff treatment under the GSP to a country that has been excluded from the benefits of the GSP for certain eligible articles, the Rates of Duty 1—Special subcolumn for HTS subheadings 0713.31.40, 1102.30.00, 1103.14.00, 4104.39.20, 7113.11.50, 7113.20.50, 9401.40.00, 9401.61.60, 9401.69.80, 9403.30.80, 9403.40.90, and 9403.50.90 are modified by deleting the symbol “A\*” in parentheses, and by inserting the symbol “A” in lieu thereof.

(2) In order to provide that a country that has not been treated as a beneficiary developing country with respect to certain eligible articles should be restored as a beneficiary developing country with respect to such articles for purposes of the GSP, general note 4(d) to the HTS is modified by deleting the following from such note: “0713.31.40 Thailand”, “1102.30.00 Thailand”, “1103.14.00 Thailand”, “4104.39.20 Thailand”, “7113.11.50 Thailand”, “7113.20.50 Thailand”, “9401.40.00 Thailand”, “9401.61.60 Thailand”, “9401.69.80 Thailand”, “9403.30.80 Thailand”, “9403.40.90 Thailand”, and “9403.50.90 Thailand”.

(3)(a) The waivers of the application of section 504(c) of the Trade Act shall apply to imports of eligible articles from Thailand that are provided for in HTS subheadings 6702.90.65, 7113.11.20, 7113.19.50, and 9403.60.80.

(b) In order to restore preferential tariff treatment: (i) the Rates of Duty 1—Special subcolumn for HTS subheadings 6702.90.65, 7113.11.20, and 9403.60.80 are modified by deleting the symbol “A\*” in parentheses, and by inserting the symbol “A” in lieu thereof; (ii) general note 4(d) is modified by deleting the following from such note: “6702.90.65 Thailand”, “7113.11.20 Thailand”, and “9403.60.80 Thailand”; and (iii) general note 4(d) is modified by deleting “Thailand” set out opposite 7113.19.50.

(4) General note 4 to the HTS, listing those countries whose products are eligible for benefits of the GSP, is modified by: (a) deleting “Maldives”

from the list of independent countries in general note 4(a), and deleting "Maldives" from the list of least-developed beneficiary developing countries in general note 4(b); and

(b) inserting "Moldova" in alphabetical order in the list of independent countries in general note 4(a).

(5) Any provisions of previous proclamations and Executive orders inconsistent with the provisions of this proclamation are hereby superseded to the extent of such inconsistency.

(6)(a) The modifications to the HTS made by paragraphs (1) and (2) shall be effective July 31, 1995.

(b) The United States Trade Representative shall issue a notice in the **Federal Register** announcing when the modifications to the HTS made by paragraph (3)(b) shall be effective.

(c) The modifications to the HTS made by paragraph (4)(a) shall be effective 60 days after the date of publication of this proclamation in the **Federal Register**.

(d) The modification to the HTS made by paragraph (4)(b) shall be effective with respect to articles that are: (i) imported on or after January 1, 1976, and (ii) entered, or withdrawn from warehouse for consumption, on or after 15 days after the date of publication of this proclamation in the **Federal Register**.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of July, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6814 of August 5, 1995**

## **National Child Support Awareness Month, 1995**

*By the President of the United States of America*

### *A Proclamation*

Providing for our children is one of humanity's worthiest and most fundamental endeavors. Children are the best part of ourselves—the sum of our past and the promise of our future, the guarantee that our lives and values and dreams will flourish long after we are gone. Sadly, however, many parents in our country today deny the instinct to care for their children, failing to provide even the most basic economic support. Millions of America's children have no legally identified father. Millions do not receive the financial support they need to lead secure and healthy lives.

Because of these harsh realities, I have made the reform of our Nation's child support system one of the top priorities of my Administration. The welfare reform plan that I proposed to the Congress last year contains the toughest child support enforcement measures in America's history—measures that would improve the effectiveness of procedures for establishing paternity, make it easier to enter and update child support awards, and dra-



matically strengthen our ability to enforce payment of those awards. My proposals would also give us the ability to track deadbeat parents across State lines, suspend their driver's licenses if necessary, and make them work off what they owe.

As the Nation's largest single employer, the Federal Government must take a leadership role in the effort to ensure that all of America's children are properly supported. In February of this year, I signed an Executive order requiring Federal agencies to cooperate fully with measures to establish and enforce child support orders and to inform employees of how they can meet their support obligations. Additionally, we are encouraging State and local governments to develop innovative approaches to helping families cope with child support issues, and the Department of Health and Human Services (HHS) has begun to restructure and strengthen its partnerships with State child support agencies.

This month we celebrate the 20th anniversary of the Child Support Enforcement Program at HHS. This program—at the Federal, State, and local levels—has been instrumental in giving hope and support to America's children while fostering strong families and responsible parenting. Through their efforts, over 5.1 million children now have a legally recognized father; more than 11.7 million children with a parent living outside of their homes have a legal right to the financial support of that parent; and over \$72.5 billion has been provided for children by their noncustodial parents.

But for all that we have accomplished, we still have much to do. By ensuring the enactment and implementation of my Administration's strong child support enforcement proposals, we will send a clear signal to our citizens that they should not have children until they are prepared to care for them. Those who do bring children into the world must bear the responsibility of supporting them. We must rededicate ourselves to the task of putting these youngest and most vulnerable of our citizens first.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim August 1995, as "National Child Support Awareness Month." I call upon the citizens of the United States to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of August, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

**WILLIAM J. CLINTON**

Proclamation 6815 of August 7, 1995

## Minority Enterprise Development Week, 1995

*By the President of the United States of America*

### *A Proclamation*

For citizens throughout the Nation, entrepreneurship is a proven gateway to economic empowerment. At its best, our free enterprise system works to ensure that all of our citizens have the opportunity to contribute fully to America's economic growth and to benefit fully from our economy's success. However, the road to entrepreneurial achievement is seldom easy. Those who undertake the journey must be talented, determined, and brave. But America has a history of rewarding risk-takers, and there is much to be gained in the attempt.

If this country is to continue to prosper in the years ahead, we must hold fast to the promise of minority enterprise development. Business growth in our minority communities creates wealth, encourages self-sufficiency, and generates jobs where they are needed. My Administration is working hard to strengthen all of our Nation's businesses, opening new domestic and international markets, stimulating the efficient use of developed but underutilized land in older cities and towns, and reducing the cost of borrowing for business start-ups and expansions. These innovative efforts are making an impact, and people throughout America are stepping forward to take advantage of the possibilities of investment.

This week plays an important part in our work to promote the growth of the minority business community. As we recognize America's outstanding minority business men and women, we honor their accomplishments and help spur them on to greater heights. Highlighting their success, this occasion touches even those who have not yet dreamed of starting their own businesses. We are all inspired by the example our entrepreneurs have set.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 24 through September 30, 1995, as "Minority Enterprise Development Week." I call on all Americans to commemorate this event with appropriate ceremonies and activities, joining together to recognize the contributions that minority entrepreneurs make every day to our national economic security.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of August, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6816 of August 16, 1995

## Women's Equality Day, 1995

*By the President of the United States of America*

### *A Proclamation*

Seventy-five years ago this Nation took a great step forward by ratifying the 19th Amendment to the Constitution. Twenty-eight simple words—"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex"—brought to a triumphant conclusion the long decades of struggle waged by generations of suffragists. Looking back from the vantage point of the present, when the contributions and influence of women enrich every facet of our national life, it seems remarkable that as recently as 1920 most American women were still denied their right to full participation in the political activity of this country. Our history continues to remind us that humanity's age-old enemies of ignorance and prejudice are not easily defeated.

But defeated they were, by an army of women and men who, inspired by the staunch courage and unswerving commitment of leaders like Susan B. Anthony, changed people's minds and the course of U.S. history. Using the classic tools of democracy—assembly and petition, exhortation and example, peaceful protest and political shrewdness—these champions of liberty won a lasting victory for civil rights. The fight was hard, the margins slim, and the outcome often in doubt. But after years of effort and sacrifice, after countless acts of courage and conscience, advocates of women's suffrage rejoiced as the Congress proposed an amendment to the Constitution in 1919 and as Tennessee, the last State needed for ratification, approved that amendment on August 18, 1920, by a single vote, when a young legislator heeded his mother's plea to support suffrage. On August 26, 1920, the 19th Amendment was finally proclaimed part of the United States Constitution, fulfilling Susan B. Anthony's pledge that "failure is impossible."

Women's Equality Day, while a fitting occasion to commemorate this great victory of wisdom over ignorance, is also a time for sober reflection that American democracy is a work in progress. The Declaration of Independence was only the first step in our long journey toward equality for all Americans. And while we have made much progress, until all women have an equal opportunity to develop their full potential and to make contributions that are accepted and welcomed by our society, our freedom as a Nation will be incomplete.

Let us observe Women's Equality Day, then, both as a celebration of past achievement and a promise for the future: a promise to promote and protect with vigor and vigilance the rights of all our citizens; a promise to decry the policies of exclusion and to pursue the ideal of equality for every American; and a promise to empower all of our people to take their rightful place as full and equal partners in the great American enterprise.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim August 26, 1995, as "Women's Equality Day." I call upon the citizens of our great Nation to observe this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of August, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6817 of August 19, 1995**

**Death of Those in the U.S. Delegation in Bosnia-Herzegovina**

*By the President of the United States of America*

*A Proclamation*

As a mark of respect for those who died as a result of the tragic accident near Sarajevo, Bosnia-Herzegovina, which occurred August 19, 1995, I hereby order, by the authority vested in me as President of the United States of America by section 175 of title 36 of the United States Code, that the flag of the United States shall be flown at half-staff upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until sunset, Wednesday, August 23, 1995. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of August, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6818 of August 29, 1995**

**National POW/MIA Recognition Day, 1995**

*By the President of the United States of America*

*A Proclamation*

Throughout our proud history, America's sons and daughters have answered the call to defend our fundamental liberties and to safeguard the freedoms of peace-seeking countries around the globe. Representing the finest this Nation has to offer, the members of our Armed Forces have given everything of themselves in defense of the independence and democracy that we hold so dear. This year we have a special opportunity to honor their service as we commemorate the 50th anniversary of the end of World War II, the dedication of the Korean War Veterans Memorial, and the unveiling of the POW and MIA postage stamp.

In remembering these heroic men and women, it is with profound respect and solemn appreciation that we single out those who paid the heaviest

price. Among them are the Prisoners of War and those Missing in Action. Their courage and devotion to duty, honor, and country—often in the face of brutal treatment and torture by their captors—will never be forgotten by the American people.

Our Nation also recognizes that the families of these brave citizens have suffered and made great sacrifices for our country. For it is in the name of both the missing and their loved ones that we aggressively pursue the release of any United States service member held against his or her will, that we search tirelessly for information about the missing, and that we seek the repatriation of recoverable American remains.

On September 15, 1995, the flag of the National League of Families of American Prisoners of War and Missing in Southeast Asia, a black and white banner symbolizing America's missing, will be flown over the White House, the Capitol, the United States Departments of State, Defense, and Veterans Affairs, the Selective Service System Headquarters, the Vietnam Veterans and Korean War Veterans Memorials, and national cemeteries across the country. This flag is a symbol of our Nation's covenant with those who defend us and with the loved ones they leave behind—the brave individuals who have earned our everlasting gratitude and their families who deserve our deepest sympathy and our national pledge to achieve the fullest possible accounting of American troops.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 15, 1995, as "National POW/MIA Recognition Day." I urge State and local officials, private organizations, and citizens everywhere to join in honoring all Prisoners of War and Missing in Action still unaccounted for as a result of their dedicated service to our great country. I also encourage the American people to recognize and acknowledge the steadfast vigil the families of the missing maintain in their quest for answers and a conclusion to their struggle. Finally, I call upon all Americans to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of August, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6819 of September 8, 1995**

### **America Goes Back to School, 1995**

*By the President of the United States of America  
A Proclamation*

The beginning of a new school year is a time of renewal and anticipation for families, educators, and communities across America. Teachers ready their classrooms and curricula; law enforcement officers redouble their efforts to keep neighborhoods safe and drug-free; businesses work with

schools to create stronger partnerships; and parents everywhere encourage their children to look forward to the challenges ahead.

This time of year also provides us with an occasion to renew our faith in the promise of education—the spark that lights our ambitions and gives us the tools to grow and succeed. To ensure America's continued leadership in the coming century, we must empower every citizen with the knowledge and training necessary to meet new and varied challenges. The generation of young people in school today deserves our Nation's pledge to help them get on the right course and make the most of their lives.

Improving education means strengthening families and schools. Families are responsible for raising children, and parents are their first and most important teachers. Schools are responsible for providing children with quality education and meaningful guidance. But schools and families cannot do it alone. Instead, religious organizations, community leaders, older Americans, volunteer groups, service agencies, industries, and every caring individual must work together, realizing that the complexity of our diverse and changing society demands innovative and effective solutions for helping our children embrace the values of good citizenship.

In March 1994 I signed into law the Goals 2000: Educate America Act, which supports grassroots efforts to help schoolchildren meet high standards for achievement and discipline. School-to-Work programs are uniting businesses, community colleges, and high schools to provide work-study experience and technical expertise, and a new system of direct loans is making a college education more affordable and accessible. This year the Department of Education is deepening its commitment to parent and community involvement by joining the Family Involvement Partnership for Learning to sponsor America Goes Back to School: A Place for Families and the Community. This initiative encourages all Americans to take part in the drive for excellence in education. I am proud that the Department has acted boldly to foster support for America's families and students.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 11 through September 18, 1995, as a time when "America Goes Back to School." I call upon parents, community and State leaders, businesses, civic and religious organizations, and all our citizens to observe this period with appropriate ceremonies and activities expressing support for schools and colleges, children and families, and to continue their active involvement on behalf of America's students throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of September, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6820 of September 9, 1995

## Classical Music Month, 1995

*By the President of the United States of America*

### *A Proclamation*

Classical music is one of the glories of the world, a living tradition that enriches the lives of millions of Americans. In the concert halls of our bustling cities, in the community centers of our small towns, and in countless homes everywhere, classical music brings joy and inspiration to our citizens. Its phrases and themes have long spoken to our national love of beauty and our common passion for spirited expression.

More than one hundred years ago, the Bohemian composer Antonín Dvořák came to America—traveling from New York to Iowa to admire the awesome potential of this great land. The New World Symphony, Dvořák's tribute to our country, touches us still with its references to the music of Native American and African American people.

Indeed, classical music is a universal language. Whether the musicians speak English, Spanish, Russian, Japanese, or Hebrew, all recognize the same notes. Whatever cultural tradition is evoked by its cords and rhythms, classical music stirs emotions we all share. Among the many music lovers gathered to enjoy a performance, each individual listener feels the powerful dynamism of music's resonant voice.

This month, let us celebrate the artistic excellence that brings classical music to life. We honor the many remarkable composers, conductors, and performers of the past whose works continue to delight us, and we applaud today's musicians, whose talents remind us of the continuity and grandeur of the human experience. Each has contributed to the vast body of music that entertains and inspires people around the globe.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 1995, as "Classical Music Month." I call upon government officials, educators, community organizations, and all the people of the United States to observe this month with appropriate programs, ceremonies, and activities paying tribute to the extraordinary diversity and artistry of classical music.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of September, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6821 of September 12, 1995**

**To Establish a Tariff-Rate Quota on Certain Tobacco,  
Eliminate Tariffs on Certain Other Tobacco, and for Other  
Purposes**

*By the President of the United States of America  
A Proclamation*

1. (a) On April 15, 1994, I entered into trade agreements resulting from the Uruguay Round of multilateral trade negotiations ("the Uruguay Round Agreements"), including the Agreement Establishing the World Trade Organization ("the WTO Agreement") and the General Agreement on Tariffs and Trade 1994 ("the GATT 1994"), annexed to the WTO Agreement. In section 101(a) of the Uruguay Round Agreements Act ("the URAA") (Public Law 103-465, 108 Stat. 4814)(19 U.S.C. 3511(a)), the United States approved the Uruguay Round Agreements. These agreements entered into force for the United States on January 1, 1995.

(b) Section 125(c) of the Trade Act of 1974 ("the 1974 Act")(19 U.S.C. 2135(c)) provides that whenever the United States, acting in pursuance of any of its rights or obligations under any trade agreement entered into pursuant to the 1974 Act, modifies any obligation with respect to the trade of any foreign country or instrumentality, the President is authorized to proclaim increased duties or other import restrictions, to the extent, at such times, and for such periods as he deems necessary or appropriate, in order to exercise the rights or fulfill the obligations of the United States. Section 421 of the Uruguay Round Agreements Act (19 U.S.C. 2135 note) authorizes the President, pursuant to the 1974 Act, to proclaim an increase in any existing duty on certain tobacco to a rate no more than 50 percent above the rate that was set forth in rate column numbered 2 of the Tariff Schedules of the United States, as in effect on January 1, 1975, or no more than 350 percent ad valorem above the rate existing on January 1, 1975, whichever is higher.

(c) Section 1105(a) of the Omnibus Trade and Competitiveness Act of 1988 ("the 1988 Act")(19 U.S.C. 2904(a)) provides that for purposes of applying section 125 of the 1974 Act, any trade agreement entered into under section 1102 of the 1988 Act (19 U.S.C. 2902) shall be treated as an agreement entered into under section 101 or 102, as appropriate, of the 1974 Act (19 U.S.C. 2111 and 2112), and any proclamation issued pursuant to such a trade agreement shall be treated as a proclamation issued pursuant to a trade agreement entered into under section 102 of the 1974 Act.

(d) The United States, acting pursuant to its rights and obligations under the Uruguay Round Agreements, in particular Article XXVIII of the GATT 1994, is modifying its obligations with respect to the tariff treatment of certain tobacco to establish a tariff-rate quota for imports of such tobacco.

(e) Accordingly, I have determined that it is appropriate to proclaim the tariff modifications set forth in Annex I to this proclamation in order to exercise the rights and fulfill the obligations of the United States under the Uruguay Round Agreements. These modifications would, among other things, establish a tariff-rate quota for imports of certain tobacco.



2. (a) Section 423 of the URAA (19 U.S.C. 3621) authorizes the President to proclaim the reduction or elimination of any duty with respect to cigar binder and filler tobacco, wrapper tobacco, or oriental tobacco set forth in Schedule XX—United States of America, annexed to the Marrakesh Protocol to the GATT 1994 (“Schedule XX”).

(b) I have decided to proclaim the elimination of the duties on cigar binder and filler tobacco, wrapper tobacco, and oriental tobacco, as set forth in Annex I to this proclamation.

3. (a) Section 422(c) of the URAA (7 U.S.C. 1445 note) authorizes the President to waive the application to imported tobacco of section 106(g) of the Agricultural Act of 1949 (7 U.S.C. 1445(g)) if the President determines that the waiver is necessary or appropriate pursuant to an international agreement entered into by the United States.

(b) I have determined that it is necessary or appropriate pursuant to the Uruguay Round Agreements to waive the application of section 106(g) of the Agricultural Act of 1949 to imports of cigar tobacco. This waiver shall take effect on the effective date of this proclamation.

4. Presidential Proclamation No. 6641 of December 15, 1993, which implemented the North American Free Trade Agreement (“the NAFTA”) with respect to the United States, established a tariff heading in chapter 98 of the Harmonized Tariff Schedules of the United States (“the HTS”) for certain textile and apparel goods assembled in Mexico from fabric wholly formed and cut in the United States. This tariff heading, 9802.00.90, inadvertently narrowed the scope of the agreed duty-free treatment, as set forth in Appendix 2.4 to Annex 300-B to the NAFTA. I have decided that it is necessary and appropriate to modify heading 9802.00.90 to the HTS to align it with the provisions of the NAFTA, pursuant to section 201(a)(1) of the North American Free Trade Agreement Implementation Act (Public Law 103–182, 107 Stat. 2057)(19 U.S.C. 3331(a)(1)).

5. (a) The March 9, 1994, Memorandum of Understanding on the Results of the Uruguay Round Negotiations on Agriculture Between the United States of America and Uruguay and the March 24, 1994, Memorandum of Understanding on the Results of the Uruguay Round Market Access Negotiations on Agriculture Between the United States of America and Argentina (“the MOUs”) were submitted to the Congress along with the Uruguay Round Agreements. Each MOU provides that, once the appropriate Department of Agriculture authorities approve the country to ship fresh, chilled or frozen beef to the United States, the in-quota quantity of the United States tariff-rate quota for beef will be increased by 20,000 metric tons, and that increase will be allocated to that country.

(b) Section 404(d)(4) of the URAA (19 U.S.C. 3601(d)(4)) authorizes the President to proclaim an increase in the in-quota quantity of the tariff-rate quota for beef if the President determines that an increase is necessary to implement either MOU.

(c) Accordingly, pursuant to section 404(d)(4) of the URAA, I have determined that it is necessary to proclaim an increase in the in-quota quantity of the tariff-rate quota for beef as set forth in Annex II to this proclamation, to be effective for each country upon the dates specified therein.

6. Presidential Proclamation No. 6763 of December 23, 1994, implemented the Uruguay Round Agreements, including Schedule XX, with respect to the United States and incorporated in the HTS tariff modifications nec-

essary and appropriate to carry out the Uruguay Round Agreements. Certain technical errors, including inadvertent omissions and typographical errors, were made in that proclamation. I have decided that, in order to reflect accurately the intended tariff treatment provided for in the Uruguay Round Agreements, it is necessary to modify certain provisions of the HTS, as set forth in Annex II to this proclamation.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including but not limited to section 301 of title 3, United States Code, section 125 of the 1974 Act (19 U.S.C. 2135), sections 421, 422(c) and 423 of the URAA (19 U.S.C. 2135 note, 7 U.S.C. 1445 note, and 19 U.S.C. 3621, respectively), and section 604 of the 1974 Act (19 U.S.C. 2483), do hereby proclaim:

(1) In order to exercise the rights and fulfill the obligations of the United States under the WTO Agreement, the HTS is modified as set forth in Annex I to this proclamation.

(2) The provisions of Annex I to this proclamation shall take effect with respect to articles entered, or withdrawn from warehouse, for consumption on or after the dates specified in such annex.

(3) Section 106(g) of the Agricultural Act of 1949 (7 U.S.C. 1445(g)) is waived with respect to imports of cigar tobacco entered, or withdrawn from warehouse, for consumption on or after the effective date of this proclamation.

(4) (a) In order to correct certain technical errors, to modify heading 9802.00.90, and to implement certain determinations concerning tariff-rate quotas for Argentina and Uruguay, the HTS is modified as set forth in Annex II to this proclamation.

(b) Annex I to Presidential Proclamation No. 6343 of September 28, 1991, is amended as set forth in Annex II to this proclamation.

(c) The modifications made by Annex II to this proclamation shall be effective with respect to goods entered or withdrawn from warehouse for consumption on or after the dates specified in such annex.

(5) The United States Trade Representative and the Secretary of the Treasury are authorized to exercise my authority under the statutes cited in this proclamation to perform certain functions to implement this proclamation, as assigned to them in Annex I to this proclamation.

(6) All provisions of previous proclamations and Executive orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

(7) This proclamation is effective on September 13, 1995.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of September, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Section A. Modifications to the Harmonized Tariff Schedule of the United States ("HTS").**

The HTS is modified as provided below, with bracketed matter included to assist in the understanding of proclaimed modifications. The following supersedes matter in the HTS. The subheadings and superior text are set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special" and "Rates of Duty 2", respectively.

**Effective with respect to goods entered or withdrawn from warehouse for consumption on or after the effective date of this proclamation.**

(1)(a). The additional U.S. notes to chapter 24 are modified by inserting the following new additional U.S. notes in numerical sequence:

- "5. (a) The aggregate quantity of tobacco entered, or withdrawn from warehouse, for consumption under subheadings 2401.10.63, 2401.20.33, 2401.20.85, 2401.30.33, 2401.30.35, 2401.30.37, 2403.10.60, 2403.91.45 and 2403.99.60 during the period from September 13 in any year to the following September 12, inclusive, shall not exceed the quantities specified below.

	Quantity (metric tons)
Argentina	12,000
Brazil	80,200
Chile	2,750
European Community (aggregate of Austria, Belgium, Denmark, Finland, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, and the United Kingdom)	10,000
Guatemala	8,500
Malawi	12,000
Philippines	3,000
Thailand	7,000
Zimbabwe	12,000
Other countries or areas	3,000

- (b) Products of Canada, Israel or Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable in the subheadings of this note.
- (c) The quantitative limitations under this note are subject to regulations as may be issued by the United States Trade Representative or its designated agency.
- (d) Notwithstanding any other provision of this note, imports of tobacco, other than the product of Canada, Israel or Mexico, shall be eligible for the rates of duty provided in, and shall be classified in, the subheadings specified in paragraph (a) of this note, provided that the articles were (1) exported from the country of origin prior to September 13, 1995, and (2) imported directly from the country of origin into the customs territory of the United States, accompanied by such documentation as may be determined necessary by the Secretary of Treasury. For the purposes of this paragraph, entries of tobacco withdrawn from warehouse for consumption or entries of tobacco from foreign-trade zones shall not be determined to be imported directly from the country of origin into the customs territory of the United States.
6. For the purposes of this chapter, the term "prepared for marketing to the ultimate consumer in the identical form and package in which imported" means that the product is imported in packaging of such sizes and labeling as to be readily identifiable as being intended for retail sale to the ultimate consumer without any alteration in the form of the product or its packaging."

(b) Effective September 13, 1996, additional U.S. note 5 to chapter 24 of the HTS, as added by this paragraph, is modified by deleting paragraph (d) of such note.

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## Annex I (continued)

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### Section A. (con.)

(2). Subheadings 2401.10.40, 2401.10.60, 2401.10.70 and 2401.10.90, the superior text immediately preceding subheading 2401.10.40 and the superior text immediately preceding subheading 2401.10.70 are superseded by and the following provisions are inserted in numerical sequence:

[Unmanufactured tobacco....]			
[Tobacco, not stemmed/stripped:]			
[Not containing wrapper tobacco,...]			
"Oriental or Turkish type:			
2401.10.44	Cigarette leaf.....	Free	77.2¢/kg
2401.10.48	Other.....	Free	85¢/kg
2401.10.53	Cigar binder and filler.....	Free	85¢/kg
Other:			
Flue-cured, burley and other light air-cured leaf:			
2401.10.61	To be used in products other than cigarettes.....	27.4¢/kg	Free (E,IL,J) 8.4¢/kg (CA) 22.4¢/kg (HK)
Other:			
2401.10.63	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	27.4¢/kg	Free (E,J)
2401.10.65	Other.....	350%	Free (IL) 8.4¢/kg (CA) 22.4¢/kg (HK)
2401.10.95	Other.....	37.5¢/kg	Free (A,E,IL,J,HK) 11.5¢/kg (CA)

(3)(a). Subheadings 2401.20.30, 2401.20.45 and 2401.20.55 and the superior text immediately preceding subheading 2401.20.45 are superseded and the following provisions are inserted in numerical sequence:

[Unmanufactured tobacco....]			
[Tobacco, partly or wholly stemmed/stripped:]			
[Not threshed or similarly...]			
[Other:]			
[Not containing wrapper tobacco, or not containing....]			
"Oriental or Turkish type:			
2401.20.23	Cigarette leaf.....	Free	\$1.21/kg
2401.20.26	Other.....	Free	\$1.15/kg
2401.20.29	Cigar binder and filler.....	Free	\$1.15/kg
Other:			
Flue-cured, burley and other light air-cured leaf:			
2401.20.31	To be used in products other than cigarettes.....	46.9¢/kg	Free (E,IL,J) 14.4¢/kg (CA) 38.4¢/kg (HK)
Other:			
2401.20.33	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions...	46.9¢/kg	Free (E,J)
2401.20.35	Other.....	350%	Free (IL) 14.4¢/kg (CA) 38.4¢/kg (HK)
2401.20.57	Other.....	45.5¢/kg	Free (A°,E,IL,J,HK) 14¢/kg (CA)

## Annex I (continued)

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Section A. (con.)

(3)(b). Conforming change: General note 4(d) is modified by deleting "2401.20.45 Indonesia" and "2401.20.55 Indonesia" and by inserting "2401.20.57 Indonesia" in numerical sequence.

(4). Subheading 2401.20.80 is superseded by:

[Unmanufactured tobacco....]				
[Tobacco, partly or wholly stemmed/stripped:]				
[Threshed or similarly processed:]				
"Other:				
2401.20.75	Oriental or Turkish type.....	Free		\$1.10/kg
Other:				
2401.20.83	To be used in products other than cigarettes.....	43¢/kg	Free (E,IL,J) 13.2¢/kg (CA) 35.2¢/kg (MX)	\$1.10/kg
Other:				
2401.20.85	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	43¢/kg	Free (E,J)	\$1.10/kg
2401.20.87	Other.....	350%	Free (IL) 13.2¢/kg (CA) 35.2¢/kg (MX)	350%

(5). Subheadings 2401.30.30, 2401.30.60 and 2401.30.90 and the superior text immediately preceding subheading 2401.30.30 are superseded and the following provisions are inserted in numerical sequence:

[Unmanufactured tobacco....]				
[Tobacco refuse:]				
"From cigar leaf:				
Tobacco stems:				
2401.30.03	Not cut, not ground and not pulverized.....	Free		Free
2401.30.06	Cut, ground or pulverized.....	Free		\$1.21/kg
2401.30.09	Other.....	Free		77.2¢/kg
From Oriental or Turkish type tobacco:				
Tobacco stems:				
2401.30.13	Not cut, not ground and not pulverized.....	Free		Free
2401.30.16	Cut, ground or pulverized.....	Free		\$1.21/kg
2401.30.19	Other.....	Free		77.2¢/kg
Other:				
To be used in products other than cigarettes:				
Tobacco stems:				
2401.30.23	Not cut, not ground and not pulverized.....	Free		Free
2401.30.25	Cut, ground or pulverized.....	\$1.17/kg	Free (E,IL,J) 36.3¢/kg (CA) 96.8¢/kg (MX)	\$1.21/kg
2401.30.27	Other.....	34.3¢/kg	Free (E,IL,J) 10.6¢/kg (CA) 28.4¢/kg (MX)	77.2¢/kg

# Proclamations

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## Annex I (continued)

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### Section A. (con.)

#### (5). (con.):

[Unmanufactured tobacco...:]			
[Tobacco refuse:]			
Other (con.):			
Other:			
Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions:			
Tobacco stems:			
2401.30.33	Not cut, not ground and not pulverized.....	Free	Free
2401.30.35	Cut, ground or pulverized.....	\$1.17/kg	Free (E,J) \$1.21/kg
2401.30.37	Other.....	34.3¢/kg	Free (E,J) 77.2¢/kg
2401.30.70	Other.....	350%	Free (CA,IL, HK) 350%

#### (6). Subheading 2403.10.00 is superseded by:

[Other manufactured tobacco and...:]			
2403.10	Smoking tobacco, whether or not containing tobacco substitutes in any proportion:		
2403.10.20	Prepared for marketing to the ultimate consumer in the identical form and package in which imported.....	37.6¢/kg	Free (E,IL,J) \$1.21/kg 11.5¢/kg (CA) 30.8¢/kg (HK)
Other:			
2403.10.30	To be used in products other than cigarettes.....	37.6¢/kg	Free (E,IL,J) \$1.21/kg 11.5¢/kg (CA) 30.8¢/kg (HK)
Other:			
2403.10.60	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	37.6¢/kg	Free (E,J) \$1.21/kg
2403.10.90	Other.....	350%	Free (IL) 350% 11.5¢/kg (CA) 30.8¢/kg (HK)

#### (7)(a). Subheading 2403.91.40 is superseded by:

[Other manufactured tobacco and...:]			
[Other:]			
["Homogenized" or...:]			
Other:			
2403.91.43	To be used in products other than cigarettes.....	40.1¢/kg	Free (E,IL,J) \$1.10/kg 13.2¢/kg (CA) 35.2¢/kg (HK)
Other:			
2403.91.45	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	40.1¢/kg	Free (E,J) \$1.10/kg
2403.91.47	Other.....	350%	Free (IL) 350% 13.2¢/kg (CA) 35.2¢/kg (HK)

(b). Conforming change: The article description for subheading 9905.24.10 is modified by deleting "2403.91.40" and inserting "2403.91.43" in lieu thereof.

Section A. (con.)

(8) Subheading 2403.99.00 is superseded by:

[Other manufactured tobacco and....]					
[Other:]					
2403.99	Other:				
2403.99.20	Prepared for marketing to the ultimate consumer in the identical form and package in which imported.....		36.3¢/kg	Free (E,IL,J) 11.5¢/kg (CA) 30.8¢/kg (HK)	\$1.21/kg
Other:					
2403.99.30	To be used in products other than cigarettes.....		36.3¢/kg	Free (E,IL,J) 11.5¢/kg (CA) 30.8¢/kg (HK)	\$1.21/kg
Other:					
2403.99.60	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....		36.3¢/kg	Free (E,J)	\$1.21/kg
2403.99.90	Other.....		350%	Free (IL) 11.5¢/kg (CA) 30.8¢/kg (HK)	350%*

Section B. Implementation of modifications in the Rates of Duty 1 General subcolumn of the HTS effective with respect to goods entered, or withdrawn from warehouse, for consumption on or after September 13, 1995. For the following subheadings, the Rates of Duty 1 General subcolumn is modified by deleting the rate of duty appearing in such subcolumn and inserting the rate of duty "Free" in lieu thereof:

2401.10.21	2401.20.20
2401.10.29	2401.20.60

Section C. Effective September 13, 1995, general note 4(d) is modified by deleting "2401.10.21 Dominican Republic" and "2401.10.29 Honduras".

Section E. Modifications of the quantitative limitations provided for in additional U.S. note 5 to chapter 24.

On September 13 of each of the years in the following table, additional U.S. note 5 to chapter 24 shall be modified by deleting for such countries as listed below the country quantitative limitation in such note and inserting the appropriate quantitative limitation listed in this table for such year in lieu thereof:

	1996	1997	1998	1999
Additional U.S. note 5 to chapter 24:				
Argentina	12,000	12,000	11,000	10,750
Guatemala	8,875	9,250	9,625	10,000

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## Annex I (continued)

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**Section E.** Staged rate reductions in the Rates of Duty 1 General subcolumn of the HTS for subheadings modified in section A of Annex I to this proclamation.

For the following subheadings, the Rates of Duty 1 General subcolumn shall be modified on January 1 of each year by deleting the existing rate of duty and inserting in lieu thereof the rate of duty indicated in the table below for such year.

HTS Subheading	1996	1997	1998	1999	2000
2401.10.61	26.7¢/kg	26¢/kg	25.3¢/kg	24.6¢/kg	23.9¢/kg
2401.10.63	26.7¢/kg	26¢/kg	25.3¢/kg	24.6¢/kg	23.9¢/kg
2401.10.95	36.6¢/kg	35.6¢/kg	34.6¢/kg	33.7¢/kg	32.7¢/kg
2401.20.31	45.7¢/kg	44.5¢/kg	43.3¢/kg	42.1¢/kg	40.9¢/kg
2401.20.33	45.7¢/kg	44.5¢/kg	43.3¢/kg	42.1¢/kg	40.9¢/kg
2401.20.57	44.4¢/kg	43.2¢/kg	42¢/kg	40.9¢/kg	39.7¢/kg
2401.20.83	41.9¢/kg	40.8¢/kg	39.7¢/kg	38.6¢/kg	37.5¢/kg
2401.20.85	41.9¢/kg	40.8¢/kg	39.7¢/kg	38.6¢/kg	37.5¢/kg
2401.30.25	81.13¢/kg	81.09¢/kg	81.05¢/kg	81.01¢/kg	97¢/kg
2401.30.27	33.1¢/kg	32¢/kg	30.8¢/kg	29.6¢/kg	28.4¢/kg
2401.30.35	81.13¢/kg	81.09¢/kg	81.05¢/kg	81.01¢/kg	97¢/kg
2401.30.37	33.1¢/kg	32¢/kg	30.8¢/kg	29.6¢/kg	28.4¢/kg
2403.10.20	36.7¢/kg	35.7¢/kg	34.7¢/kg	33.8¢/kg	32.8¢/kg
2403.10.30	36.7¢/kg	35.7¢/kg	34.7¢/kg	33.8¢/kg	32.8¢/kg
2403.10.60	36.7¢/kg	35.7¢/kg	34.7¢/kg	33.8¢/kg	32.8¢/kg
2403.91.43	34¢/kg	32¢/kg	28¢/kg	23.9¢/kg	19.9¢/kg
2403.91.45	34¢/kg	32¢/kg	28¢/kg	23.9¢/kg	19.9¢/kg
2403.99.20	34¢/kg	31.7¢/kg	29.3¢/kg	27¢/kg	24.7¢/kg
2403.99.30	34¢/kg	31.7¢/kg	29.3¢/kg	27¢/kg	24.7¢/kg
2403.99.60	34¢/kg	31.7¢/kg	29.3¢/kg	27¢/kg	24.7¢/kg

**Section F.** Continuation of staged rate reductions in the Rates of Duty 1 Special subcolumn of the HTS for subheadings modified in section A of Annex I to this proclamation for goods of Canada under terms of general note 12 to the HTS.

For the following subheadings, the Rates of Duty 1 Special subcolumn shall be modified on January 1 of each year by deleting the existing rate of duty that is followed by the symbol "CA" and inserting in lieu thereof the rate of duty indicated in the table below for such year.

HTS Subheading	1996	1997	1998
2401.10.61	5.6¢/kg	2.8¢/kg	Free
2401.10.65	5.6¢/kg	2.8¢/kg	Free
2401.10.95	7.7¢/kg	3.8¢/kg	Free
2401.20.31	9.6¢/kg	4.8¢/kg	Free
2401.20.35	9.6¢/kg	4.8¢/kg	Free
2401.20.57	9.3¢/kg	4.6¢/kg	Free
2401.20.83	8.8¢/kg	4.4¢/kg	Free
2401.20.87	8.8¢/kg	4.4¢/kg	Free
2401.30.25	24.2¢/kg	12.1¢/kg	Free
2401.30.27	7.1¢/kg	3.5¢/kg	Free



## Annex I (continued)

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Section F. (Con.)

HTS Subheading	1996	1997	1998
2403.10.20	7.7¢/kg	3.8¢/kg	Free
2403.10.30	7.7¢/kg	3.8¢/kg	Free
2403.10.90	7.7¢/kg	3.8¢/kg	Free
2403.91.43	8.8¢/kg	4.4¢/kg	Free
2403.91.47	8.8¢/kg	4.4¢/kg	Free
2403.99.20	7.7¢/kg	3.8¢/kg	Free
2403.99.30	7.7¢/kg	3.8¢/kg	Free
2403.99.90	7.7¢/kg	3.8¢/kg	Free

Section G. Continuation of staged rate reductions in the Rates of Duty 1 Special subcolumn of the HTS for subheadings modified in section A of Annex I to this proclamation for goods of Mexico under terms of general note 12 to the HTS.

For the following subheadings, the Rates of Duty 1 Special subcolumn shall be modified on January 1 of each year by deleting the existing rate of duty that is followed by the symbol "MX" and inserting in lieu thereof the rate of duty indicated in the table below for such year.

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
2401.10.61	19.6¢/kg	16.8¢/kg	14¢/kg	11.2¢/kg	8.4¢/kg	5.6¢/kg	2.8¢/kg	Free
2401.10.65	19.6¢/kg	16.8¢/kg	14¢/kg	11.2¢/kg	8.4¢/kg	5.6¢/kg	2.8¢/kg	Free
2401.20.31	33.6¢/kg	28.8¢/kg	24¢/kg	19.2¢/kg	14.4¢/kg	9.6¢/kg	4.8¢/kg	Free
2401.20.35	33.6¢/kg	28.8¢/kg	24¢/kg	19.2¢/kg	14.4¢/kg	9.6¢/kg	4.8¢/kg	Free
2401.20.83	30.8¢/kg	26.4¢/kg	22¢/kg	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free
2401.20.87	30.8¢/kg	26.4¢/kg	22¢/kg	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free
2401.30.25	84.7¢/kg	72.6¢/kg	60.5¢/kg	48.4¢/kg	36.3¢/kg	24.2¢/kg	12.1¢/kg	Free
2401.30.27	24.8¢/kg	21.3¢/kg	17.7¢/kg	14.2¢/kg	10.6¢/kg	7.1¢/kg	3.5¢/kg	Free
2403.10.20	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.10.30	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.10.90	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.91.43	30.8¢/kg	26.4¢/kg	22¢/kg	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free
2403.91.47	30.8¢/kg	26.4¢/kg	22¢/kg	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free
2403.99.20	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.99.30	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.99.90	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free

## Annex II

Modifications to the Harmonized Tariff Schedule  
of the United States (HTS)

**Section A.** Effective at 12:01 a.m. on January 1, 1994, heading 9802.00.90 is modified by deleting the word "which" appearing after "United States," and by inserting after "United States," the expression "provided that such fabric components, in whole or in part,".

**Section B.** Effective with respect to goods entered or withdrawn from warehouse for consumption on or after January 1, 1995.

The HTS is modified as provided below, with bracketed matter included to assist in the understanding of proclaimed modifications. The following supersedes matter in the HTS. The subheadings and superior text are set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special" and "Rates of Duty 2", respectively.

(1) The Rates of Duty 1 Special subcolumn for subheading 2106.90.46 is modified by deleting the rate of duty "35.517¢/kg" preceding the symbol "MX" in parentheses and inserting in lieu thereof "35.517¢/kg of total sugars".

(2) The article description for subheading 2914.30.10 is modified by deleting "1-(2-naphthalenyl)ethanone; and" and inserting "1-(2-Naphthalenyl)ethanone; and" in lieu thereof.

(3) The article description for subheading 2924.21.12 is modified by deleting "1-(2-methylcyclohexyl)-3-phenylurea" and inserting "1-(2-Methylcyclohexyl)-3-phenylurea" in lieu thereof.

(4) The Rates of Duty 1 Special subcolumn for subheading 2924.21.16 is modified by inserting, in alphabetical order, the symbol "K" in the parentheses following the "Free" rate of duty in such subcolumn.

(5) The article description for subheading 2924.29.28 is modified by deleting "N-[[4-(4-chlorophenyl)amino]carbonyl]-2,6-difluorobenzamide; and" and inserting "N-[[4-(4-Chlorophenyl)amino]carbonyl]-2,6-difluorobenzamide; and" in lieu thereof.

(6) The article description for subheading 2925.19.70 is modified by deleting "N,N'-Ethylenebis(5,6-dibromo-2,3-norbornanedicarboximide)" and inserting "N,N'-Ethylenebis(5,6-dibromo-2,3-norbornanedicarboximide)" in lieu thereof.

(7) The article description for subheading 2934.90.70 is modified by deleting "2-Methyl-4-isothiazolin-3-one;" from such description and by inserting in alphabetical sequence "2-Methyl-4-isothiazolin-3-one;" in the article description for subheading 2934.10.70.

(8) Subheading 2936.29.90 is superseded and the following provisions are inserted in numerical sequence:

	[Provitanins and vitamins, natural....]		
	[Vitamins and their derivatives, unmixd:]		
	[Other vitamins and their....]		
2936.29.15	Niacin and niacinamide.....	Free	25%
	[Other:]		
2936.29.30	Other.....	Free	25%

(9) The Rates of Duty 1 Special subcolumn for subheading 3926.90.65 is modified by deleting the rate of duty "3.3¢" preceding the symbol "NX" in parentheses and inserting in lieu thereof "2.5¢".

Section B. (con.)

(10) Additional U.S. note 9 to chapter 52 is modified by deleting the sentence "Imports from countries or areas who are not members of the World Trade Organization shall not be permitted or included in the quantitative limitations set forth in this note." and inserting in lieu thereof "Other than as provided for in the country allocations above, imports from countries or areas who are not members of the World Trade Organization shall not be permitted or included in the quantitative limitations set forth in this note.".

(11) The Rates of Duty 1 Special subcolumn for subheading 5402.41.90 is modified by deleting the rate of duty "8%" preceding the symbol "MX" in parentheses and inserting in lieu thereof "7.2%".

(12) The superior text preceding subheading 9817.00.92 which reads "Articles specially designed or adapted for the use or benefit of the blind or other physically or mentally handicapped persons:" is deleted and the text "Articles specially designed or adapted for the use or benefit of the blind or other physically or mentally handicapped persons; parts and accessories (except parts and accessories of braces and artificial limb prosthetics) that are specially designed or adapted for use in the foregoing articles:" is inserted in lieu thereof.

(13) Subchapter VI to chapter 99 is modified by deleting U.S. note 17.

Section C. Effective on the effective date of this proclamation:

Additional U.S. note 3 to chapter 2 is modified by:

(1) inserting in sequence "Argentina 20,000\*" and "Uruguay 20,000\*" after "Japan 200" in the list of countries and the quantities set opposite such countries in the note.

(2) inserting at the end of the note a new paragraph as follows:

" \* The quantity for Argentina or Uruguay shall be permitted entry pursuant to the provisions of this note on and after the date of publication by the Secretary of Agriculture of a notice in the Federal Register that Argentina or Uruguay has been granted approval by the Department of Agriculture to ship fresh, chilled or frozen beef to the United States. This paragraph and the "\*" symbol following the quantity for Argentina and Uruguay shall be deleted from this note on the January 1 following the later date of the date of publication of the notice for Argentina or Uruguay."

(3) deleting the paragraph inserted by subparagraph (2) above on the January 1 following the later date of the date of publication of the notice for Argentina or Uruguay.

Section B. Effective at 12:01 a.m. on January 1, 1996:

(1) Subchapter V to chapter 99 of the HTS is modified by deleting U.S. notes 2, 3, 4 and 5.

(2) Proclamation 6343 of September 28, 1991, is amended by deleting from Annex I thereof paragraph (d)(2) relating to subheading 9905.84.22.

# Proclamations

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## Annex II (continued)

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**Section E.** For the following subheadings, the Rates of Duty 1 Special subcolumn shall be modified on January 1 of each year by deleting the existing rate of duty followed by the symbol "MX" in parentheses and inserting in lieu thereof the rate of duty indicated in the table below for such year.

HTS subheading	1996	1997	1998	1999	2000	2001	2002	2003
2106.90.46	34.582¢/kg on total sugars	33.647¢/kg on total sugars	32.713¢/kg on total sugars	31.778¢/kg on total sugars	28.247¢/kg on total sugars	24.716¢/kg on total sugars	21.185¢/kg on total sugars	17.655¢/kg on total sugars
3823.90.28	2.3¢/kg + 9.5%	2.2¢/kg + 8.1%	1.8¢/kg + 6.8%	1.4¢/kg + 5.4%	1.1¢/kg + 4%	0.7¢/kg + 2.7%	0.3¢/kg + 1.3%	Free
3926.90.65	1.6%	0.8%	Free	Free	Free	Free	Free	Free
5402.41.90	5.4%	3.6%	1.8%	Free	Free	Free	Free	Free
6216.00.26	7.2%	4.8%	2.4%	Free	Free	Free	Free	Free
7019.10.15	4.1%	2.7%	1.3%	Free	Free	Free	Free	Free
9906.08.11	19%	18.3%	18%	17.5%	17%	17%	17%	Free

/ For subheading 2106.90.46, the rates of duty after 2003 shall be as follows:

Effective with respect to articles entered on or after January 1, 2004-- 14.124¢/kg on total sugars;  
 Effective with respect to articles entered on or after January 1, 2005-- 10.593¢/kg on total sugars;  
 Effective with respect to articles entered on or after January 1, 2006-- 7.062¢/kg on total sugars;  
 Effective with respect to articles entered on or after January 1, 2007-- 3.531¢/kg on total sugars; and  
 Effective with respect to articles entered on or after January 1, 2008-- Free

**Section F.** Effective at 12:01 a.m. on January 1, 1998:

- (1) Chapter 58 of the HTS is modified by deleting the "(CA)" symbol and the duty rate preceding such symbol from additional U.S. notes 1, 2, 3, 4 and 5.
- (2) The Rates of Duty 1 Special subcolumn:

(a) for subheading 5810.91.00 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 1" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

(b) for subheading 5810.92.10 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 2" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

(c) for subheading 5810.92.90 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 3" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

(d) for subheading 5810.99.10 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 4" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

(e) for subheading 5810.99.90 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 5" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

Section G. Effective at 12:01 a.m. on January 1, 1999:

- (1) Chapter 58 of the HTS is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol from additional U.S. notes 1, 4 and 5.
- (2) The Rates of Duty 1 Special subcolumn for subheadings 5810.91.00, 5810.99.10 and 5810.99.90 is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order.

Section H. Effective at 12:01 a.m. on January 1, 2003:

- (1) Chapter 58 of the HTS is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol from additional U.S. notes 2 and 3.
- (2) The Rates of Duty 1 Special subcolumn for subheadings 0402.91.90, 0406.90.32 and 1806.20.94 is modified by deleting the duty rate preceding the "(MX)" symbol and inserting the "Free" rate in lieu thereof.
- (3) The Rates of Duty 1 Special subcolumn for subheadings 2106.90.52, 2106.90.54, 5810.92.10 and 5810.92.90 is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order.

Section I. Effective at 12:01 a.m. on August 1, 2003, the Rates of Duty 1 Special subcolumn for subheading 0709.60.20 is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order.

Section J. Effective at 12:01 a.m. on January 1, 2006, the Rates of Duty 1 Special subcolumn for subheadings 1701.11.50, 1701.12.50, 1701.91.30 and 1701.99.50 is modified by deleting the duty rate preceding the "(MX)" symbol and inserting in lieu thereof "7.062¢/kg less 0.1¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 4.564¢/kg".

Section K. Effective at 12:01 a.m. on January 1, 2008, the Rates of Duty 1 Special subcolumn for subheading 2106.90.48 is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order.

Proclamation 6822 of September 13, 1995

## National Farm Safety and Health Week, 1995

*By the President of the United States of America*

### *A Proclamation*

America's agricultural productivity is a gift to our Nation and to people everywhere. Using innovative techniques and the latest technology, our farmers, ranchers, and agricultural workers provide enough food and fiber to satisfy our needs and those of millions of people around the globe. However, we too often forget that farming can be a difficult and dangerous profession.

Agricultural workers are exposed daily to the risks associated with operating powerful machinery, managing livestock, working and travelling in adverse weather conditions, and performing countless other demanding tasks, often miles away from emergency medical care. Sadly, children and young people on our farms and ranches are particularly vulnerable to these hazards and more.

The simplest safety tool we have at hand is education. By word and by example, we must teach each new generation of Americans about the critical importance of knowledge, caution, and vigilance in farming and ranching activities. Wearing protective clothing and gear, learning the safety features that manufacturers build into equipment, and staying alert to possible dangers when working with livestock, chemicals, machinery, and vehicles—all of these measures can help to ensure longer, healthier lives for America's agricultural workers.

As important as education is to the safety and well-being of our agricultural workers, we must remember that quality health care is just as critical. We must strengthen our resolve to provide the citizens of our rural areas with high-quality, affordable, and accessible health care if we are truly to meet their needs.

By setting aside a special week each year to focus on the need for improved safety and health in our Nation's agricultural industry, we demonstrate to all of our agricultural workers that we value their lives and livelihood, that we appreciate their unsurpassed productivity, and that we honor their determined spirit.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 17 through September 23, 1995, as "National Farm Safety and Health Week." I call upon government agencies, businesses, and professional associations that serve our agricultural sector to strengthen efforts to promote safety and health measures among our Nation's farm and ranch workers. I ask these workers to take advantage of educational programs and technical innovations that can help them to avoid injury and illness. Finally, I call upon the citizens of our Nation to reflect on the bounty we enjoy thanks to the labor of agricultural workers across the land. Join me in renewing our commitment to make their health and safety a national priority.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of September, in the year of our Lord nineteen hundred and ninety-five,

and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6823 of September 14, 1995**

## **National Hispanic Heritage Month, 1995**

*By the President of the United States of America*

### *A Proclamation*

America has always drawn strength from the extraordinary diversity of its people. The earliest settlers came to this great land seeking opportunity, bringing with them an abundant wealth of traditions from countries the world over. Thus the vibrant Hispanic culture has long been entwined with our Nation's heritage, and people of Latin American and Spanish ancestry have infused our national life with energy and vision. In the arts, the sciences, the business world, academia, and government, Hispanic Americans have added immeasurably to our progress.

Later this month, I will proudly bestow on the late Willie Velasquez our Nation's highest civilian honor, the Presidential Medal of Freedom. His landmark work to register Hispanic voters helped to bring these Americans into the mainstream of American public life, and the Southwest Voter Registration Education Project that he founded continues to thrive today.

Last year, I was pleased to sign an Executive order creating the President's Advisory Commission and White House Initiative on Educational Excellence for Hispanic Americans. Recognizing the vital importance of providing every one of our children with fundamental knowledge and skills, the Commission was charged with creating an agenda to increase educational opportunities for Hispanic Americans.

Today, as we stand on the threshold of a new century, we look to the outstanding contributions of Hispanic Americans for inspiration and leadership. Let us join in support of Hispanic children and families as they strive to fulfill the American Dream.

To pay tribute to the achievements of Hispanic citizens and to honor the importance of Latin American and Spanish traditions in our national culture, the Congress, by Public Law 100-402, has authorized and requested the President to issue annually a proclamation designating September 15 through October 15 as "National Hispanic Heritage Month."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim September 15 through October 15, 1995, as National Hispanic Heritage Month. I call upon government officials, educators, and all the people of the United States to honor this observance with appropriate programs, ceremonies, and activities, and encourage all Americans to rededicate themselves to the pursuit of equality.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of September, in the year of our Lord nineteen hundred and ninety-five,

and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6824 of September 15, 1995**

**National Rehabilitation Week, 1995**

*By the President of the United States of America  
A Proclamation*

National Rehabilitation Week offers us a unique opportunity each year to measure our progress on the long road to creating a totally accessible society in America. This year, as we also mark the 5th anniversary of the Americans with Disabilities Act and the 75th anniversary of the Rehabilitation Act of 1920, we can look back with satisfaction on the tremendous advances we have made on our journey.

Because of the passage and implementation of these landmark pieces of legislation, millions of Americans with disabilities have received the training and skills to become competitive and productive employees. Working Americans who became disabled in mid-life have received the help they need to adapt to their changed circumstances and to resume their contributions to our society. Today, employers across the Nation are working closely with State rehabilitation agencies to ensure that men and women with disabilities are trained to succeed at the jobs of tomorrow.

Thanks largely to the efforts of people with disabilities, America has come a long way from the time when these citizens were kept out of sight and out of mind. Today, our Nation's disability policies emphasize inclusion, independence, and empowerment. Our laws declare that Americans with disabilities have a fundamental right to full equality—and are entitled to the same choices and opportunities as their fellow citizens who are not disabled.

But we still have a long way to travel before we reach our goal of full equality in fact as well as in law. Today, two-thirds of all persons with disabilities remain unemployed, although many of them already have received appropriate training and rehabilitative services. And even more distressing, millions of these individuals would find it difficult to work if a job were offered to them simply because our society has not instituted the changes needed to help them perform their work responsibilities.

People with disabilities want to work, and it is vital that we offer them the means to gain full employment. Not only is this the right thing to do, it is the prudent thing as well. If America is to continue to succeed in our rapidly changing global economy, we cannot afford to waste the talents, knowledge, vision, or abilities of a single individual.

Let us celebrate National Rehabilitation Week by rededicating ourselves to the spirit of equality. As we move toward the era of hope and opportunity promised by the 21st century, we must guarantee that every American has a share in that hope and ensure that the doors of opportunity are open to all. By empowering each person, including those with disabilities, to live



up to his or her full potential, we will infuse our Nation with fresh energy for the challenges before us.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 17 through September 23, 1995, as "National Rehabilitation Week." I call upon the people of the United States, including government officials, employers, educators, and volunteers, to observe this week with appropriate programs, ceremonies, and activities honoring all those who work for self-determination, equal treatment, and full participation.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of September, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6825 of September 16, 1995**

**Citizenship Day and Constitution Week, 1995**

*By the President of the United States of America  
A Proclamation*

Americans, unlike many other peoples, are linked to one another neither by the confines of geography nor by centuries of tradition. Instead, we base our citizenship on a foundation of shared ideals and ideas, bringing gifts from every country, race, and culture. Those whose ancestors came to these shores long ago and first-generation immigrants alike—all are bound by the unique set of principles set forth in the documents that established and continue to define this Nation.

We find our heritage in profound words: in the declaration that all men are created equal, endowed with unalienable rights to life, liberty, and the pursuit of happiness; in the invitation of liberty extended to the tired, the poor, the huddled masses yearning to breathe free; and in the pledge to remain one Nation, under God, with liberty and justice for all.

Perhaps the greatest expression of our national identity is the United States Constitution. Adopted on September 17, 1787, the Constitution describes the parameters of our Government and the rights and responsibilities that accompany American citizenship. From its phrases we derive our precious rights to free expression and religious liberty, and we assume the responsibilities of electing our leaders and participating in the workings of government.

Yet the genius of the Constitution is not simply in forming "a more perfect Union," but in framing an ideal and providing a means for progress toward its realization. As Abraham Lincoln once stated, our Founding Fathers "meant to set up a standard maxim for free society, which should be familiar to all, and revered by all; constantly looked to, constantly labored for, and even though never perfectly attained, constantly approximated, and

thereby constantly spreading and deepening its influence, and augmenting the happiness and value of life to all people of all colors everywhere."

Indeed, this bold experiment in self-government has inspired more than 200 years of striving for true justice and freedom. From the beginning, there was a dissonance between the plain meaning of our creed and the reality of American life, and constitutional history reflects the vital changes wrought by amendments, civil war, and tremendous social transformations. Emancipation, women's suffrage, civil rights, voting rights—all these began as the struggles of citizens who joined together to push our Nation toward the ideals enshrined in our Constitution and whose efforts were encouraged by the Constitution itself.

In honor of the paramount importance of the Constitution in setting forth the fundamental doctrines of our country and in recognition of the role each American must play in bringing these words to life, the Congress, by joint resolution of February 29, 1952 (36 U.S.C. 153), designated September 17 as "Citizenship Day," and by joint resolution of August 2, 1956 (36 U.S.C. 159), requested the President to proclaim the week beginning September 17 and ending September 23 of each year as "Constitution Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim September 17, 1995, as Citizenship Day and September 17 through September 23, 1995, as Constitution Week. I call upon Federal, State, and local officials, as well as leaders of civic, educational, and religious organizations, to conduct meaningful ceremonies and programs in their schools, churches, and other community gathering places to foster a better understanding of the Constitution and the rights and duties of citizenship.

I further call upon the officials of the Government to display the flag of the United States on all Government buildings on September 17, 1995, in honor of Citizenship Day.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of September, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6826 of September 21, 1995**

## **Gold Star Mother's Day, 1995**

*By the President of the United States of America  
A Proclamation*

Countless Americans have traveled to Washington, D.C., to visit the new Korean War Veterans Memorial and to pay their respects at the many other monuments honoring the members of our Armed Forces. These sites are places for reflection, pride, and patriotism, not only for the men and women who served and those who lost loved ones, but also for every citizen who values the sacrifices to which these monuments bear witness.

As we look upon America's public memorials, we also remember the unseen tributes that dwell in homes and hearts across the country—the personal mementos and memories treasured by mothers who have lost a child in military service. Our Gold Star Mothers reflect the legacy of their sons' and daughters' bravery and ensure that their children will never be forgotten—that their courage will inspire new generations.

Watching a beloved child go off to war is one of the hardest things a parent can endure. America's Gold Star Mothers proudly stood this test and suffered the terrible anxiety of waiting for word of their loved ones. Each of these heroic women was also called upon to bear the greatest hardship of all—the cruel truth that her son or daughter would never return.

These mothers gave their most cherished gift so that our Nation could live in liberty and so that people around the globe could be freed from tyranny and oppression. And Gold Star Mothers continue a proud tradition of service, helping veterans with disabilities through voluntary service in VA medical facilities. Bringing comfort to those who suffered for our country, Gold Star Mothers exemplify the gratitude and honor each citizen owes to America's veterans.

This year, the 50th anniversary of the end of World War II, evokes many powerful emotions—pride in victory, sorrow in loss, and hope for a future of world peace. At times such as these, we join with Gold Star Mothers in remembering their children's dedication to duty and their ultimate sacrifice. We pray that these mothers can find solace in knowing that their sons and daughters helped to keep the beacon of peace and freedom burning, lighting the way to a better world.

In recognition of the outstanding courage of our Gold Star Mothers, the Congress, by Senate Joint Resolution 115 of June 23, 1936 (49 Stat. 1895), has designated the last Sunday in September as "Gold Star Mother's Day" and has authorized and requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim September 24, 1995, as Gold Star Mother's Day. I call upon the American people to observe this day with appropriate programs, ceremonies, and activities that honor our Gold Star Mothers.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of September, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6827 of September 21, 1995

## National Historically Black Colleges and Universities Week, 1995

*By the President of the United States of America*  
*A Proclamation*

Just after the turn of the century, George Washington Carver, teacher, scientist, and intellectual leader at Tuskegee Institute, wrote, "Education is the key to unlock the golden door of freedom." His words ring true for all Americans, but especially so for the students of our Nation's historically black colleges and universities. These institutions are a beacon of hope, a path to advancement, and a source of pride for African Americans and for everyone who values higher learning.

Founded on a commitment to equal opportunity and academic excellence, historically black colleges and universities have enabled countless members of our society to receive a quality education and to pursue their goals and careers. In every sector of our diverse and vibrant country—business, law, academia, medicine, science, the arts, and the military—graduates of these schools have made outstanding contributions to our Nation's progress.

These distinguished institutions have long provided a bridge to the American Dream for their alumni—many of whom are the first in their families to graduate from college. And while nearly all of America's 103 historically black colleges and universities are located in the South, our entire Nation has benefited from their legacy. Indeed, 27 percent of all baccalaureate degrees awarded to African Americans are granted by these schools, which represent only 3 percent of America's institutions of higher education.

It is their commitment to academic rigor and their dedication to empowering the minority community that have enabled historically black colleges and universities to build a proud tradition of excellence in this country. As centers of independent thought, black colleges hold out a promise to the young leaders of tomorrow—a promise that our Nation will continue to grow in wisdom, that the future will hold increased opportunity, and that education will open new doors to hope and prosperity.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 24 through September 30, 1995, as National Historically Black Colleges and Universities Week. I call upon the people of the United States, including government officials, educators, and administrators, to observe this week with appropriate programs, ceremonies, and activities honoring America's black colleges and their graduates, and I encourage all Americans to rededicate themselves to the principles of justice and equality set forth in our Constitution.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of September, in the year of our Lord nineteen hundred and ninety-five,

and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6828 of October 2, 1995

## Child Health Day, 1995

*By the President of the United States of America*  
*A Proclamation*

In hospitals and homes across the country, children begin life free from the burdens of the world. With their eyes and minds open to every influence, they depend on their caregivers to help them take the first, tentative steps toward adulthood. Parents and other family members, communities and churches, educators and the media—all play a role in these crucial early years, providing young people with the direction they need to become happy, productive citizens.

Tragically, far too many children go without this essential love and guidance, living in homes, neighborhoods, and schools where they see and endure violence. One in five pregnant women is abused by her partner; millions of children each year are reported to public social service agencies as being neglected or abused; and in the decade between 1982 and 1992, the number of these reports increased 132 percent. We know that young men and women suffer lasting effects from such experiences—teen suicides have tripled in the last 35 years, and countless youth have grown up to continue the cycle of destructive behavior in their own relationships and families.

In recognition of these heartbreaking realities, the theme of Child Health Day, 1995, is the elimination of violence. As our Nation observes this special day, let us renew our commitment to America's children and rededicate ourselves to ending the physical and emotional mistreatment that damage self-esteem and well-being. Solutions to the plague of violence lie within our own society, and we can find hope in the partnerships forming among public health and mental health professionals, schools, law enforcement officers, religious groups, child care experts, and community leaders. Their efforts, aided by the extensive Federal network already in place, will help to strengthen families and instill in our young people the ambition and spirit that has always driven America forward.

To emphasize the importance of nurturing children's growth and development from birth to maturity, the Congress, by joint resolution approved May 18, 1928, as amended (36 U.S.C. 143), has called for the designation of the first Monday in October as "Child Health Day" and has requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Monday, October 2, 1995, as Child Health Day. On this day, and on every day throughout the year, I call upon my fellow Americans to deepen their commitment to protecting children, taking the necessary steps to meet our obligations to them and to our Nation's future.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6829 of October 2, 1995**

**National Domestic Violence Awareness Month, 1995**

*By the President of the United States of America*

*A Proclamation*

Domestic violence disrupts communities, destroys relationships, and harms hundreds of thousands of Americans each year. It is a serious crime that takes many forms and a complex problem with multiple causes. Those abused can be children, siblings, spouses, or parents, and both victims and offenders come from all racial, social, religious, ethnic, and economic backgrounds. Among the most tragic effects of family violence is the cycle of abuse perpetuated by children and teenagers who see and experience brutality at home—these young people often lack crucial guidance to help them form strong, positive bonds of kinship.

Americans are fortunate that knowledge about domestic violence has increased and that public interest in deterrence is stronger than ever. During the past decade, vital partnerships have formed between Federal agencies and private-sector organizations to expand prevention services in urban, rural, and underserved areas across the country. These efforts have helped to coordinate aid for victims and their children—not only providing shelter, but also furnishing alcohol and drug abuse treatment, child care, and counseling. In addition, I am proud that the Violent Crime Control and Law Enforcement Act of 1994 contains tough new sanctions and includes a provision for a national “hot line” where victims can receive information and assistance.

But the struggle to end domestic violence is far from over. According to a recent Justice Department study for 1992 and 1993, women were about six times more likely than men to experience violence committed by offenders with whom they had an intimate relationship. And in 1992, nearly 30 percent of all female homicide victims were known to have been killed by husbands, former husbands, or boyfriends. We need more prevention campaigns and public awareness efforts; we must develop and share successful methods of prevention, intervention, and treatment for victims and perpetrators; and we must continue to build alliances among government, community associations, businesses, educators, and religious organizations to strengthen our families and to teach alternatives to violent behavior.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 1995, as “National Domestic Violence Awareness Month.” I call upon government officials, law enforcement agencies, health professionals, educators, and the people of the United States to join together to end the family violence that

threatens so many citizens. I further encourage all Americans to recognize the dedication of those working to end the horrors of abuse. Offering support, guidance, encouragement, and compassion to survivors, these caring individuals exemplify our Nation's highest ideals of service and citizenship.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6830 of October 4, 1995**

### **Energy Awareness Month, 1995**

*By the President of the United States of America*

#### *A Proclamation*

Although we tend to focus on energy issues only in times of crisis, Americans should not underestimate the daily impact of a clean, safe, affordable energy supply on maintaining our standard of living, protecting the environment, and ensuring our national defense. In the past 3 decades alone, disruptions in global oil markets and dramatic price shocks have caused international strife and economic recession. Energy choices affect air and water pollution; nuclear, toxic, and other waste disposal present potential hazards; and energy use can influence our precious wilderness and natural ecosystems.

As we observe Energy Awareness Month, 1995, this year's theme, "Energy Fuels Our Future," is a powerful reminder of the need to build a strong foundation of sustainable energy policies that will benefit the generations to come. We can be proud of the United States' efforts toward this end. In every critical sector of society—commercial and residential development, transportation, industry, utility management, and government—we have improved efficiency and reduced the environmental impact of energy production and consumption.

Our challenge today is to continue this work, and my Administration remains committed to the responsible use of existing resources and the progress of innovative technology. We have many objectives—enhancing the competitiveness of our Nation's oil producers, expanding the role of domestically produced natural gas, encouraging the development of renewable energy resources, minimizing the environmental impact of coal use, and supervising the safe contribution of nuclear energy. As we seek to strengthen our economy and ease the burden of energy use on the global environment, let us work together toward these vital goals.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 1995 as "Energy Awareness Month." I call upon government officials, educators, and all the people of the United States to observe this month with appro-

prate activities recognizing the central importance of energy use in our lives and to the future of our world.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6831 of October 5, 1995**

## **National Breast Cancer Awareness Month, 1995**

*By the President of the United States of America  
A Proclamation*

Our Nation can take pride in the progress we have made in the war against breast cancer. Many patients who would have confronted prolonged suffering and tragic death just a few years ago can now weigh options for treatment and face the future with excellent chances for recovery. My Administration has made a strong commitment to ending breast cancer's threat to the health of American women, significantly increasing funding for research, launching a campaign to encourage older women to take advantage of the mammography covered by Medicare, and creating a National Action Plan on Breast Cancer. This initiative unites the Federal Government, advocacy groups, health professionals, and private industries in a dynamic partnership to develop new strategies for prevention and care.

Yet even as we celebrate these gains, we must remember that millions of American women still fight this terrible disease, and tens of thousands die each year as a result of its devastating effects. Every three minutes another woman is diagnosed, and breast cancer claims some 120 precious lives daily. It is the most common form of cancer among women in this country and the leading cause of cancer death for those aged 30 to 54. And all women—our mothers, sisters, daughters, and friends—face the same stark statistics.

If we are to protect our citizens and honor the memories of the brave women who, like my mother, lost their lives to breast cancer, we must rededicate ourselves to the final eradication of the illness. Although there is no known cure, early detection and advances in medical technology remain our best weapons. By doing routine self-examinations, undergoing regular mammograms, and keeping a schedule of preventive medical care, women can detect breast tumors early and dramatically reduce the spread of cancer. This month and throughout the year, let us work to increase awareness of these lifesaving therapies and renew our commitment to developing new means of prevention.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 1995 as National Breast Cancer Awareness Month. I urge the people of the United States to learn more about breast cancer and the resources we have—in-



cluding examinations, mammography, good nutrition, and exercise—that may prevent its occurrence and minimize its spread. During this month, I call upon every citizen to extend special compassion to those who still struggle against the disease and to the many who have lost loved ones. Join us in the fight to end breast cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6832 of October 6, 1995**

### **National Disability Employment Awareness Month, 1995**

*By the President of the United States of America*

*A Proclamation*

“The strongest bond . . . outside of the family relation, should be one uniting all working people, of all nations, and tongues, and kindreds.” Although written more than a century ago, Abraham Lincoln’s words continue to express the ability of common purpose to transcend boundaries. As our Nation prepares for a new century and faces the demands of an increasingly global marketplace, this idea is more important than ever. We are called upon to value every citizen’s unique gifts and to encourage all people to participate in moving our Nation forward.

America’s employees with disabilities have long been a part of this effort, distinguishing themselves in virtually every occupation and profession. Indeed, study after study has shown that workers with disabilities perform as well as, or better than, other members of the labor force on every factor measured. The typical cost of accommodating a person with a disability on the job is only \$200, and this investment is amply repaid—wage earners with disabilities increase productivity and tax revenue, become consumers of goods and services, and reduce the burden on government welfare and entitlement programs.

Yet despite their many contributions and successes, individuals with disabilities remain underrepresented in our Nation’s work force. Fully two-thirds of all Americans of working age with severe disabilities are unemployed, though research indicates that two-thirds of that number want to work. We cannot allow this situation to continue, but must unite in a concerted effort to ensure that all people with disabilities have the opportunity to be integral, productive members of our society. Together, our Nation’s employers and citizens with disabilities can form an unbeatable team equipped to advance an interest vital to our country—a sound and growing economy.

To recognize the tremendous potential of individuals with disabilities and to encourage all Americans to work toward their integration and full inclusion in the work force, the Congress, by joint resolution, approved August 11, 1945, as amended (36 U.S.C. 155), has designated October of each year as “National Disability Employment Awareness Month.”

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 1995 as National Disability Employment Awareness Month. I call upon government officials, educators, and the people of the United States to observe this month with appropriate programs and activities that reaffirm our determination to fulfill both the letter and the spirit of the Americans with Disabilities Act.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6833 of October 6, 1995**

### **National Children's Day, 1995**

*By the President of the United States of America  
A Proclamation*

All who have welcomed a child to the world can appreciate the sentiments of Ralph Waldo Emerson who wrote, "We find a delight in the beauty and happiness of children, that makes the heart too big for the body." Worthy of our deepest love and this Nation's most profound concern, children represent our dearest hopes for the future. We must ensure that they receive the care, protection, and guidance each child so richly deserves.

Millions of American children are fortunate to grow up in stable, affectionate families where they enjoy loving support. Yet far too many children lack this essential foundation, and countless young people suffer the terrible effects of hunger, poverty, neglect, and abuse. Today's families are plagued with problems that hinder their ability to tend to their children's well-being. Drug and alcohol addiction, physical and emotional violence, stress, and economic hardship all take a devastating toll.

Every one of us must take responsibility for reversing these alarming trends and for ensuring that all of our children have the opportunity to become vital, productive citizens. By getting involved now, we can reinforce the efforts of schools, churches, communities, and neighborhood organizations to strengthen families and to provide security and structure in our children's lives. Remembering that today's children will be tomorrow's leaders, educators, and parents, let us help them to look forward with hope and enthusiasm for the future.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 8, 1995, as National Children's Day. I urge the American people to express their love and appreciation for children on this day and on every day throughout the year. I invite Federal officials, local governments, communities, and particularly all American families to join together in observing this day with appropriate ceremonies and activities that honor our Nation's children.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the

Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6834 of October 6, 1995**

## **German-American Day, 1995**

*By the President of the United States of America*

### *A Proclamation*

Since the earliest days of the settlement of North America, immigrants from Germany have enriched our Nation with their industry, culture, and participation in public life. Over a quarter of all Americans can trace their ancestry back to German roots, but more important than numbers are the motives that led so many Germans to make a new beginning across the Atlantic. America's unparalleled freedoms and opportunities drew the first German immigrants to our shores and have long inspired the tremendous contributions that German Americans have made to our heritage.

In 1681, William Penn invited German Pietists from the Rhine valley to settle in the Quaker colony he had founded, and these Germans were among the first of many who would immigrate to America in search of religious freedom. This Nation also welcomed Germans in search of civic liberty, and their idealism strengthened what was best in their adopted country. As publisher of the *New York Weekly Journal* in the 1700s, Johann Peter Zenger became one of the founders of the free press. Carl Schurz, a political dissident and close ally of Abraham Lincoln, served as a Union General during the Civil War, fighting to end the oppression of slavery. And German names figured prominently in the social and labor reform movements of the 19th and early 20th centuries.

In the course of 300 years of German emigration to this great land, German Americans have attained prominence in all areas of our national life. Like Baron von Steuben in Revolutionary times and General Eisenhower in World War II, many Americans of German descent have served in our military with honor and distinction. In the sciences, Albert Michelson and Hans Bethe immeasurably increased our understanding of the universe. The painters Albert Bierstadt and modernist Josef Albers have enhanced our artistic traditions, and composers such as Oscar Hammerstein have added their important influences to American music.

Yet even these many distinguished names cannot begin to summarize all the gifts that German Americans have brought to our Nation's history. While parts of the Midwest, Pennsylvania, and Texas still proudly bear the stamp of the large German populations of the last century, it is their widespread assimilation and far-reaching activities that have earned German Americans a distinguished reputation in all regions of the United States and in all walks of life.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 6, 1995,

as German-American Day. I encourage Americans everywhere to recognize and celebrate the contributions that millions of people of German ancestry have made to our Nation's liberty, democracy, and prosperity.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6835 of October 6, 1995**

## **National School Lunch Week, 1995**

*By the President of the United States of America*

### *A Proclamation*

On June 4, 1946, President Truman signed the National School Lunch Act—landmark legislation designed to ensure the nutritional health of America's students. This year, nearly half a century later, the Department of Agriculture has updated Federal regulations to require school meals to meet the Dietary Guidelines for Americans. The resulting School Meals Initiative for Healthy Children is the most significant reform of the meals program since President Truman's time, underscoring our Nation's profound responsibility to protect our children's well-being.

Recognizing that simply adopting policies does not always guarantee change, my Administration launched Team Nutrition on June 12, 1995, to unite public and private organizations in promoting healthful dietary habits through schools, community organizations, and the media. This groundbreaking measure also provides the training, technical assistance, and nutrition education that are critical to the School Meals Initiative's successful implementation. This fall marks the introduction of the Team Nutrition Schools Program, which brings together teachers and principals, children and families, community leaders, and school food services professionals to work for healthier school meals and to make available better nutrition information.

The National School Lunch program currently operates in more than 95 percent of our Nation's public schools and serves some 25 million students daily. The only nutritious meal of the day for many children, a school lunch can help to lengthen attention span, increase learning capacity, and dramatically improve overall health. Thanks to dedicated educators, parents, Federal, State, and local officials, and particularly food service professionals, more than 92,000 schools and residential child care institutions across the country provide wholesome meals to our Nation's children, enabling them to look forward to a healthier future.

In recognition of the contributions of the National School Lunch program to the nutritional well-being of our young people, the Congress, by joint resolution of October 9, 1962 (Public Law 87-780), has designated the week beginning the second Sunday in October of each year as "National School Lunch Week" and has requested the President to issue a proclamation in observance of that week.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 8 through October 14, 1995, as National School Lunch Week. I call upon all Americans to recognize those individuals whose efforts contribute to the success of our national meals programs, and I encourage people everywhere to reaffirm their commitment to safeguarding children's health.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6836 of October 6, 1995

### Columbus Day, 1995

*By the President of the United States of America*  
*A Proclamation*

To pursue ambitious goals and to realize great dreams, we must be willing to venture away from the familiar and comfortable. We must show the strength of our convictions to tackle the challenges, known and unknown, that stand between us and our hopes for the future.

Today, Christopher Columbus' extraordinary journeys stand as inspiring examples of such determination. This renowned explorer braved the open sea, so feared by his contemporaries, and revealed the splendors of the New World to Renaissance Europe over 500 years ago. He discovered the best use of the North Atlantic wind system, first described the Equatorial Current, and initiated the succeeding rapid exploration and settlement of the Americas.

During the course of his first transatlantic voyage, Columbus' bold convictions overcame the resistance of the faint-hearted members of his crew. He led them to the Canaries, the Bahama Islands, Cuba, and Haiti, and subsequent sailings took him to other Caribbean islands, Central America, and Venezuela. As with many pioneers throughout history, Columbus' limited understanding of other cultures led to conflicts and controversies—struggles similar to those that challenge our world even now. But the enduring fame of his travels and the opportunity he sought across uncharted waters remain a call to all who seek adventure.

A native of Genoa, Columbus' courage and commitment led him to leave safe shores in pursuit of his goals. But he could not have made his trips without the support of the Spanish crown. People of Italian and Spanish descent continue to energize communities across our Nation, enhancing every occupation and sector of American society. We are grateful for their tremendous contributions and for the ingenuity of spirit that is Columbus' enduring legacy.

In tribute to Columbus' many achievements, the Congress, by joint resolution of April 30, 1934 (48 Stat. 657), and an Act of June 28, 1968 (82 Stat.

250), has requested the President to proclaim the second Monday in October each year as "Columbus Day."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 9, 1995, as Columbus Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities. I also direct that the flag of the United States be displayed on all public buildings on the appointed day in honor of Christopher Columbus.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6837 of October 6, 1995**

### **Leif Erikson Day, 1995**

*By the President of the United States of America*

#### *A Proclamation*

Every October, we celebrate Leif Erikson Day and honor the memory of that great Norse explorer who first set foot on North American soil nearly a millennium ago. At a time when mankind has traveled from pole to pole and even journeyed into the vast reaches of space, Leif Erikson's bold determination stands as an early example of the spirit of adventure and enterprise.

This day is an occasion to celebrate the bonds of friendship that link the United States to the Nordic countries. For generations, Iceland and her neighbors have acted as bridges between Europe and North America, playing a vital role in fostering democracy and free trade throughout the world. Nordic peoples have long shared America's love of liberty and have always reached out to those who struggle against oppression. Today, we in the United States are proud to work with our Northern friends to fully reintegrate the Baltic states of Estonia, Latvia, and Lithuania into the Western family of nations. Together we look forward to a new Europe, united by a common respect for liberty and equality.

We should also mark this observance by recognizing the outstanding contributions that citizens of Danish, Finnish, Icelandic, Norwegian, and Swedish descent have made to our country. Just as their ancestors did before them, Nordic Americans cherish their ties across the ocean and bring their many gifts to America's culture, progress, and prosperity. As we remember Leif Erikson, whose voyage preceded so many rugged immigrants who braved the North Atlantic in search of economic, political, and religious liberties, let us pay tribute to his courage and renew our commitment to freedom.

In honor of Leif Erikson—son of Iceland, grandson of Norway—the Congress, by joint resolution approved on September 2, 1964 (Public Law 88-

566), has authorized and requested the President to designate October 9 of each year as "Leif Erikson Day."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 9, 1995, as Leif Erikson Day. I encourage the people of the United States to observe this occasion with appropriate ceremonies and activities commemorating our rich Nordic American heritage.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

#### **Proclamation 6838 of October 7, 1995**

#### **Fire Prevention Week, 1995**

*By the President of the United States of America*

##### *A Proclamation*

Since 1925, Americans have paused every October to consider the importance of learning how to prevent fires. By observing Fire Prevention Week, our Nation comes together to remember those lost tragically in fire-related incidents, to recognize the terrible damage that fire has caused over the years, and to renew our efforts to learn more about the ways in which we can protect ourselves from fire's devastation.

Some 4,000 people in the United States die from fire each year—a number that can be reduced dramatically through prevention measures. Fires in the home take the biggest toll, with 80 percent of fatalities occurring just where we often feel the safest. Recognizing that cooking and heating equipment cause the majority of home fires, the National Fire Protection Association has selected "Watch What You Heat: Prevent Home Fires" as the Fire Prevention Week theme for 1995, joining with the Federal Emergency Management Agency's U.S. Fire Administration to communicate this lifesaving message.

This year's safety campaign teaches essential prevention techniques—the necessity of staying in the kitchen while cooking and never leaving a lighted stove unattended; of closely supervising all heating equipment, such as portable and space heaters; and of monitoring all appliances and smoking materials. Most important, no matter how careful we are, we must always be prepared by maintaining working smoke detectors throughout our homes.

As we strive to make fire prevention a priority in every American community, we also celebrate the dedication of our Nation's fire and emergency workers—champions of fire safety at the local level. Too often, these brave men and women pay the ultimate price for their faithful service. Last year alone, 100 firefighters died in the line of duty, and more than 95,400 were injured. On Sunday, October 15, 1995, we will pay our respects to these heroic individuals at the 14th annual National Fallen Firefighters Memorial

Service at the National Emergency Training Center in Emmitsburg, Maryland. To honor their courageous work, let us rededicate ourselves to building a better, safer world for the generations to come.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 8 through October 14, 1995, as Fire Prevention Week. I encourage the people of the United States to plan and actively participate in fire prevention activities this week and throughout the year. I also call upon every citizen to pay tribute to firefighters who have lost their lives in the line of duty and to those men and women who carry on the noble tradition of service in our communities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6839 of October 10, 1995**

**General Pulaski Memorial Day, 1995**

*By the President of the United States of America*

*A Proclamation*

October 11 marks the anniversary of the death of General Casimir Pulaski, an American and Polish hero whose devotion to the cause of freedom led him to our shores to fight in the War for Independence and, finally, to give his life during the siege of Savannah. Each year, people around the Nation honor this great man, remembering that his courage and unwavering principles helped to make our country free.

It was General Pulaski's love of liberty that inspired his battle against oppression—first in his native Poland and then in America. With exceptional valor and military skill, he commanded soldiers of the Continental Army in several important contests of the Revolutionary War. And on this day in 1779, General Pulaski made the ultimate sacrifice so that democracy and self-government might triumph.

The annals of Poland and America contain many accounts of bravery, nobility, and service, and Casimir Pulaski occupies a prominent place in the hearts and histories of both countries. Thanks to the struggles and sacrifices of the men and women who have followed his proud example, Poland today is peaceful, free, and increasingly prosperous.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 11, 1995, as General Pulaski Memorial Day. I encourage all Americans to commemorate this occasion with appropriate ceremonies and activities paying tribute to the legacy of General Casimir Pulaski and honoring all those who carry on his mission.



IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6840 of October 13, 1995**

**White Cane Safety Day, 1995**

*By the President of the United States of America*  
*A Proclamation*

As Americans, we take pride in the diversity that allows us to appreciate the world from many standpoints, and we draw our vitality from the contributions made by people of all experiences, talents, and backgrounds. Long dedicated to the goal of independence, America's blind and visually impaired citizens have enriched our history, inspiring others to join their efforts to further integration and inclusion.

The majority of blind and visually impaired people use the white cane to facilitate their travel. This remarkably simple instrument provides tactile, kinesthetic, and auditory signals to its users, allowing them to detect obstacles, steps up and down, and changes in surface texture. Enhancing motivation and confidence, the white cane has empowered countless blind and visually impaired individuals to gain freedom of movement and to flourish in society. For those of us who are not blind or visually impaired, it signals us to exercise extra caution and to be courteous drivers and pedestrians.

As our Nation observes this special day, the white cane is a symbol of strength and a reminder of the tremendous potential available within each person. We must continue to work for full implementation of the Americans With Disabilities Act, which protects people with disabilities from discrimination in the workplace, mandates access to public and private services and accommodations, and promotes equal opportunity. The American Dream is an inspiration to us all—let us work to ensure that every person can realize its promise.

To honor the numerous achievements of blind and visually impaired citizens and to recognize the significance of the white cane in advancing independence, the Congress, by joint resolution approved October 6, 1964, has designated October 15 of each year as "White Cane Safety Day."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 15, 1995, as White Cane Safety Day. I call upon government officials, educators, and all the people of the United States to observe this day with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of October, in the year of our Lord nineteen hundred and ninety-five, and

of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6841 of October 14, 1995**

**National Character Counts Week, 1995**

*By the President of the United States of America  
A Proclamation*

The children of today will be tomorrow's leaders, educators, caregivers, and parents. As we seek to prepare our Nation for the challenges of the future, we must reaffirm America's deepest beliefs and instill in our youth the principles of opportunity, responsibility, and community that have always united our citizens. Emphasizing both individual and social duties, character education helps us toward that goal and reminds us that our country's strength has long been drawn from fundamental ideas.

Families have always held the primary obligation for teaching values to their children. Schools, too, play a vital role in reinforcing the basic precepts of good citizenship—fairness and honesty, respect for oneself and for others, and personal accountability. My Administration's education agenda is dedicated to raising standards for academics and discipline so that young people will have the essential tools they need to succeed. Our Goals 2000: Educate America Act embraces the importance of parental involvement in the learning process, recognizing that family participation encourages children to value scholarship and to adopt strong values. Character education programs can increase school performance as well, and the Improving America's Schools Act promotes such initiatives.

As Americans, we are called upon to fulfill the obligations of citizenship in many ways. As our Nation observes this special week, let us remember our responsibilities to children and do everything in our power to inspire in them the moral and ethical standards that will, in turn, help them to become productive, integral members of our society.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 15 through October 21, 1995, as National Character Counts Week. I call upon government officials; educators; religious, community, and business leaders; and all the people of the United States to work for the preservation of traditional values and to commemorate this week with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6842 of October 14, 1995

## National Forest Products Week, 1995

*By the President of the United States of America*

*A Proclamation*

America's forests are a priceless inheritance—one of our country's greatest treasures. From National Forests to State and local parks, from industrial timberlands to privately-owned lots, wooded areas offer us numerous gifts and promise future generations continued benefits. During National Forest Products Week, we renew our commitment to care for our woodlands and to preserve their capacity to sustain themselves.

Providing nutrients and habitat to countless species—including those threatened or endangered—our Nation's forests extend their bounty to mankind as well. Many Americans depend on timberlands for their livelihood; countless people enjoy camping, hiking, and picnicking; and others seek out the woods to find peace and spiritual renewal. In addition, these rich tracts of land produce raw materials for building and other uses and are an essential source of food and medicines derived from trees, shrubs, forbs, fungi, and micro-organisms.

The current state of our forests requires our government, citizens, and the forestry industry to examine past and current forest management practices and to develop new strategies. We are moving toward a new era in stewardship with increased emphasis on forests that are diverse, robust, productive, and sustainable. Understanding that our wooded regions are part of a global mosaic of ecosystems, we must continue to promote public and private environmental responsibility and ensure that our conservation efforts set standards for the world to follow.

In recognition of the central importance of our forests to the welfare of our Nation, the Congress, by Public Law 86-753 (36 U.S.C. 163), has designated the week beginning on the third Sunday in October of each year as "National Forest Products Week" and has authorized and requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 15 through October 21, 1995, as National Forest Products Week. I call upon the people of the United States to honor the vital role America's forests play in our national life and to observe this week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6843 of October 23, 1995**

**National Consumers Week, 1995**

*By the President of the United States of America*

*A Proclamation*

Business and trade have always been central to the American experience. In the period since the Industrial Revolution, the extraordinary growth of our economy has created a marketplace that is the foundation of global commerce. Unparalleled natural and human resources have energized every part of our society—from the agricultural heartland that feeds an international community; to the textile and steel mills that began the machine age in America; to the scientific, computer, and information companies that are leading the way into the fast-paced world of the 21st century.

Consumer protections such as fair pricing and product safety rules are more necessary than ever to ensure that all of us are able to fully and fairly participate in a free enterprise system that encourages competition, productivity, and innovation. These protections have evolved alongside the remarkable expansion of the world economy. In 1962, President John F. Kennedy clarified the importance of consumer protection in a Special Message to Congress that has become known as the Consumer Bill of Rights. This statement articulated each person's rights to safety, information, and choice, and the right to be heard in the process of resolving consumer problems. In 1975 President Gerald R. Ford added the right to consumer education.

As the driving force behind the richest, most prosperous country in the world, the United States' free market is a model for others to emulate. We must ensure that our system continues to emphasize the centrality of the consumer even as it becomes increasingly technology-oriented. Accordingly, last year, I was proud to add the latest element to the Consumer Bill of Rights—the right to service—which urges that convenience, courtesy, performance, and responsiveness remain hallmarks of the American marketplace. So that Federal workers and agencies can take the lead in providing high-quality service, my Administration has also initiated the National Performance Review to improve efficiency and promote excellence in every sector of our Government.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 22 through October 28 as National Consumers Week. I call upon Government officials, industry leaders, and the people of the United States to recognize the vital relationship between our economy and our citizenry and to support the right of all Americans to service excellence.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6844 of October 23, 1995****United Nations Day, 1995**

*By the President of the United States of America  
A Proclamation*

Fifty years ago, at the end of the most destructive war the world has ever known, delegates from fifty-one countries met in San Francisco to establish the United Nations. Inspired by a common determination “to save succeeding generations from the scourge of war,” the delegates recognized that their vision of a better world could not simply be defined by the absence of conflict, nor could peace be maintained without broad inter-national cooperation. Thus they resolved to “unite our strength to maintain international peace and security,” to “promote social progress and better standards of life,” and to reaffirm universal human rights.

This year, the U.N., which now numbers 185 member countries, has continued its tradition of promoting peace and security around the globe. Its agencies are important instruments in the campaign to stop the proliferation of nuclear arms and other weapons of mass destruction. It works to provide security for the conduct of free elections. And United Nations troops strive to keep the peace in places of great importance to the United States—on the Kuwait border, in the Mediterranean and in Europe.

We can also be proud of the U.N. agencies and programs that work to support sustainable development, protect the environment, battle the spread of disease, and promote human rights. In fighting the deadly outbreak of the Ebola virus, immunizing millions of children, and securing relief for hundreds of thousands of refugees, agencies like the World Health Organization, UNICEF, and the United Nations High Commissions for Human Rights and Refugees make important contributions to the international community.

The U.N. enters its second half-century of service facing new opportunities and challenges. If the nations of the world are to fully embrace these opportunities and overcome these challenges, we must work more closely together to fully realize the principles of the original United Nations Charter and must commit to improving the organization’s efficiency and effectiveness. During this momentous anniversary celebration, let us reaffirm the ideals, principles, and goals contained in the Charter and rededicate ourselves to working for the good of all humankind.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Tuesday, October 24, 1995, as United Nations Day. I encourage all Americans to acquaint themselves with the activities and accomplishments of the U.N. and to observe this day with appropriate ceremonies, programs, and activities furthering the goal of international cooperation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of October, in the year of our Lord nineteen hundred and ninety-five,

and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6845 of October 24, 1995**

## **Veterans Day, 1995**

*By the President of the United States of America*

### *A Proclamation*

During both war and peace, America's armed forces have helped to preserve the fundamental rights and liberties guaranteed by our Constitution. Every day, our men and women in uniform maintain an around-the-clock vigil to ensure that our Nation remains safe from harm and our citizens free from fear. Their sacrifices, and the dedication to duty exemplified by American troops throughout our history, have advanced democracy and human dignity around the world.

For generations, brave citizens from every walk of life have answered the call to service, fighting to defend the ideals we hold dear. Through long years of separation and hardship, the selfless contributions made by our veterans have preserved the blessings of freedom. As we honor their heroism, let us also remember the families whose support and prayers have added so much. We owe a heartfelt thanks to all those whose devoted efforts—both on the battlefield and in communities across the country—have laid the strong foundation of peace and security we enjoy today.

On this 50th anniversary of the end of World War II, we take special pride in recognizing those who served the United States during that terrible conflict—the 16,535,000 men and women who risked their lives to defeat oppression. The ensuing half-century has brought momentous changes in global affairs, and the generation of veterans who triumphed over tyranny continues to hold a sacred place in our national memory.

Veterans of other wars throughout our Nation's history merit no less distinction. There are some 27 million veterans in America today whose service ranges from World War I, through the Cold War, to the Persian Gulf War and our other recent military missions around the globe. Thanks to their loyalty and courage, this country remains a symbol of hope for all those who seek democracy and peace. On Veterans Day and on every day throughout the year, let us remember and honor the sacrifices of our veterans and renew our commitment to accounting for their comrades-in-arms who have fallen, unknown and unrecovered, in distant fields of battle.

In order that we may pay tribute to those who have served in our Armed Forces, the Congress has provided (5 U.S.C. 6103(a)) that November 11 of each year shall be set aside as a day to recognize America's veterans.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Saturday, November 11, 1995, as Veterans Day. I urge all Americans to honor the resolution and commitment of our veterans through appropriate public ceremonies and private prayers. I call upon Federal, State, and local officials to display the flag of

the United States and to encourage and participate in patriotic activities in their communities. I invite civic and fraternal organizations, places of worship, schools, businesses, unions, and the media to support this national observance with suitable commemorative expressions and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6846 of November 1, 1995**

**National Adoption Month, 1995**

*By the President of the United States of America*

*A Proclamation*

For many people across the United States, adoption provides a means for building and strengthening families. It places children into loving, permanent homes where they can flourish and grow up to become happy, healthy, productive members of our national community. Adoption also enables adults to experience the unique joys of parenthood.

As many as 70,000 children in America's foster care system may need adoptive families in the next few years—young people of all ages and backgrounds who, for whatever reason, cannot return to their original homes. Many, but not all, are children with special needs. These young people long for the same affection, security, and stability that most of us take for granted, yet too many have waited—and will continue to wait—for years to be adopted.

My Administration has taken important actions to encourage adoption and to support the wonderful families that choose to open their hearts and homes to waiting children. The Multiethnic Placement Act, which I signed into law in October 1994, helps to facilitate adoption for all children and families, regardless of their race or ethnic origin. We will continue to champion and improve programs that break down barriers to adoption through aggressive recruitment of families, financial aid to support placements, and technical assistance to agencies committed to special needs adoption.

As we observe National Adoption Month, we celebrate these achievements and recognize the rewards of adoption, but we must also remember that much work remains to be done. Citizens from all communities and organizations from the public and private sectors must join together to renew our commitment to finding permanent homes for each one of America's children.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 1995, as National Adoption Month. I urge the people of the United States to observe

this month with appropriate activities and programs and to participate in efforts to find permanent homes for waiting children.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6847 of November 2, 1995**

## **National American Indian Heritage Month, 1995**

*By the President of the United States of America*

### *A Proclamation*

November is traditionally the season for thanksgiving in America, the time when we reflect on the abundance with which we have been blessed. It is especially fitting, then, that we set aside this month to pause and reflect on the many gifts bestowed on our land and our heritage by American Indians and Alaska Natives.

American Indians have a great reverence for the earth and its bounty, and they generously shared their knowledge and their food with the early European settlers in our country. We still enjoy that harvest today, with an agricultural industry that supports America and the world with the corn, potatoes, beans, cotton, and countless other crops first cultivated on this continent by American Indians.

A second and equally precious gift is that of courage. American Indians and Alaska Natives have fought and died for the United States of America in time of war, answering the call to service to defend our freedoms. The Navajo, Lakota, and Dakota Codetalkers were crucial to our victory in the Pacific during World War II, and it was a Pima Indian, Ira Hayes, who helped to raise the American flag on Iwo Jima. They and so many others have endured separation, hardship, and sacrifice so that the world might know peace.

The gift of wisdom is one that our society has struggled to learn. Living in harmony with nature instead of seeking domination, American Indians have shown us how to be responsible for our environment, to treasure the beauty and resources of the land and water for which we are stewards, and to preserve them for the generations who will come after us. They have taught us as well the value of sharing, of recognizing that there must be room at America's table for all her peoples.

American Indians and Alaska Natives have made invaluable contributions to our common heritage; in every field of human endeavor, from the arts, sciences, and humanities to politics, religion, and public service, they have added immeasurably to the strength of our civilization.

As we celebrate National American Indian Heritage Month, we give thanks for these contributions and acknowledge the special legal relationship that exists between the tribes and the Government of the United States of America.



NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 1995 as National American Indian Heritage Month. I urge all Americans, as well as their elected representatives at the Federal, State, local, and tribal levels, to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6848 of November 4, 1995**

**Death of Yitzhak Rabin**

*By the President of the United States of America  
A Proclamation*

Today a senseless act of violence has robbed the United States of a close friend and robbed the world of a statesman and courageous champion of peace.

Yitzhak Rabin was a brave man who defended his country for half a century and whose vision and tenacity brought the world closer to peace.

He was a man of hope, a man of wisdom, a man who sought to improve the lives of all those he touched.

The peace process that he began will be his legacy. The people of the United States and the peace-loving people of the world are determined that the peace process will go forward.

As a mark of respect for the memory of Yitzhak Rabin and America's support for peace in the Middle East, I hereby order that the flag of the United States shall be flown at half-staff upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until his interment. I also direct that the flag shall be flown at half-staff for the same length of time at all United States Embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6849 of November 9, 1995**

## **Thanksgiving Day, 1995**

*By the President of the United States of America*

### *A Proclamation*

In 1621, Massachusetts Bay Governor William Bradford invited members of the neighboring Wampanoag tribe to join the Pilgrims as they celebrated their first harvest in a new land. This 3-day festival brought people together to delight in the richness of the earth and to give praise for their new friendships and progress. More than 300 years later, the tradition inspired by that gathering continues on Thanksgiving Day across America—a holiday that unites citizens from every culture, race, and background in common thanks for the gifts we receive from God.

As we pause to reflect on the events of the past year, we recognize anew our Nation's many and wonderful blessings. We are deeply grateful for the abundance that keeps America strong and prosperous; for our freedoms and the freedom spreading to people all over the world; for the new hope of peace in regions where people have suffered much but are working hard toward reconciliation; for the 50 years of international cooperation that have followed the end of World War II; and especially for the generosity and love that united our Nation after the tragedy in Oklahoma City. Let us open our hearts to the grace that makes all good things possible and acknowledge God's care for our world.

Let us each take time to offer thanks for the bounty of our own lives and for the relatives and friends that gather with us to share food and companionship on this special day. We give praise for the relationships that sustain us—in our families, churches, schools, and communities. We voice our appreciation for the satisfaction of work and the joys of leisure, and, most of all, we give thanks for the children that enrich our lives and remind us daily that we are the stewards of the earth and all its possibilities.

This cherished season also calls us to look forward to the challenges that lie before us as individuals and as a country. With God's help, we can shoulder our responsibilities so that future generations will inherit the wealth of opportunities we now enjoy. In everything we do, we must plan for the Thanksgivings to come and continue our efforts to build an America where everyone has a place at the table and a fair share in our Nation's harvest.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Thursday, November 23, 1995, as a National Day of Thanksgiving. I encourage all the people of the United States to assemble in their homes, places of worship, or community centers to share the spirit of goodwill and prayer; to express heartfelt gratitude for the blessings of life; and to reach out in friendship to our brothers and sisters in the larger family of mankind.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of November, in the year of our Lord nineteen hundred and ninety-five, and

of the Independence of the United States of America the two hundred and twentieth.

**WILLIAM J. CLINTON**

**Proclamation 6850 of November 15, 1995**

**National Great American Smokeout Day, 1995**

*By the President of the United States of America*  
*A Proclamation*

Children are our Nation's most precious resource and most sacred obligation. And all of us—whether parents or guardians, teachers or coaches, ministers or rabbis, friends or government officials—can play a role in nurturing young people and working to ensure their future health and happiness. Our children look to us for guidance, and we must do all we can to provide them with examples of personal responsibility and good citizenship.

Yet, every day, some 3,000 young Americans become regular smokers, falling victim to negative influences and provocative advertisements and putting themselves at risk of the diseases caused by nicotine addiction. Nearly 1,000 of these children will die prematurely, joining the more than 400,000 Americans who lose their lives to tobacco-related illnesses each year. For a country so deeply devoted to the protection of children, such numbers are a national tragedy.

Recognizing the vital need to reverse these devastating statistics, my Administration has proposed measures to limit children's access to tobacco products and to reduce tobacco's appeal. In seeking to protect our children, we join the countless caring citizens who are observing the "Great American Smokeout," a nationwide effort to raise awareness of nicotine addiction and the deadly risks associated with tobacco use. Working together on this day and every day throughout the year, we can create a brighter, healthier future for young Americans.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 16, 1995, as National Great American Smokeout Day. I call upon all Americans to join together in an effort to educate our children about the dangers of tobacco use, and I urge smokers and non-smokers alike to take this opportunity to begin healthier lifestyles that set a positive example for young people.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

**WILLIAM J. CLINTON**

**Proclamation 6851 of November 15, 1995**

**National Farm-City Week, 1995**

*By the President of the United States of America*

*A Proclamation*

When America was a new country, farms were many and small. Farmers and their families used most of what they produced, and the rest was usually sold locally. Even in 1862, when Abraham Lincoln created the Department of Agriculture, 60 percent of our labor force gained their livelihood on the farm.

Today, while less than 2 percent of American workers are actually employed on farms, thanks to new approaches and advanced technologies, our farmers feed not only the people of the United States, but also much of the world. Agriculture remains our Nation's number one industry, generating \$1 trillion in economic activity every year—over 15 percent of our gross domestic product—and it is our largest employer, providing 21 million jobs.

This prosperity is due in large part to farm-city partnerships. From the sowing of crops to the purchasing of food and fiber in urban supermarkets, a network of farmers, agribusiness industries, carriers and shippers, scientists, retail distributors, and consumers has cooperated to ensure that our food supply is safe, affordable, and nutritious. As we gather with family and friends during this special week, let us give thanks for the blessings of our lives, for America's agricultural richness, and for the collaboration among rural and urban communities that makes so much of this bounty possible.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in my by the Constitution and laws of the United States, do hereby proclaim November 17 through November 23, 1995, as National Farm-City Week. I call upon citizens in urban, suburban, and rural areas throughout the Nation to acknowledge the achievements of those who work together to promote America's agricultural abundance.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6852 of November 15, 1995**

**National Family Week, 1995**

*By the President of the United States of America*

*A Proclamation*

Blessed with an extraordinary diversity of people from every culture and nation around the globe, the United States has always drawn strength from

our citizens' shared commitment to the importance of family life. The family is society's most basic unit, daily providing the acceptance, love, and reassurance that enable each of us to flourish and succeed. It creates the earliest and strongest bonds between individuals—bonds that we seek to build upon to improve our Nation as a whole.

Families are where we first learn important lessons about responsibility and where we absorb the ideals and traditions that define our unique American character. Yet we must do more to address the variety of troubles, such as substance abuse, domestic violence, and teenage pregnancy that have placed strains on the American family and threaten the well-being of our young people. At the same time, our efforts to combat crime and poverty cannot fully succeed until we rebuild our families and renew our commitment to their progress. A strong network of community, State, and national partnerships can also help families to face the challenges of everyday life.

This week, as young and old gather around the Thanksgiving table, it is crucial that we embrace and empower American families, offering them the opportunities they need to thrive and grow. Let us each take time to appreciate the value of our family relationships and rededicate ourselves to building essential ties of kinship among all people.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 19 through November 25, 1995, as National Family Week. I call upon Federal, State, and local officials to honor American families with appropriate ceremonies and programs; I encourage educators, community organizations, and religious leaders to celebrate the moral and spiritual strength to be drawn from family relationships; and I urge all the people of the United States to reaffirm their own familial bonds and to reach out to others in friendship and goodwill.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6853 of November 30, 1995**

### **National Drunk and Drugged Driving Prevention Month, 1995**

*By the President of the United States of America  
A Proclamation*

For many young Americans, learning to drive is a significant step along the road to maturity and independence. There are serious responsibilities that accompany getting a driver's license, and it is essential to teach our youth—and all Americans—the terrible risks of drunk and drugged driving. Males aged 21-34 are among those most likely to drive under the influence

of alcohol or drugs, and there is a critical need for additional prevention efforts aimed at this group.

Alcohol use played a role in 16,600 motor vehicle-related fatalities last year—nearly 41 percent of all such deaths. While the number of these tragedies has declined significantly over the past decade, the statistics are still devastating. We must continue our campaign of public education, provide increased law enforcement, and seek tougher laws and penalties for offenders.

Last June, I called on the Congress to make “Zero Tolerance” the law of the land and require States to adopt a Zero Tolerance standard for drivers under the age of 21. I am pleased that this provision was included in the “National Highway System Designation Act of 1995,” which I signed this week. It is already against the law for young people to consume alcohol, and Zero Tolerance creates a national standard that will make it effectively illegal for young people who have been drinking to drive an automobile.

Many States have already enacted Zero Tolerance laws. These laws work—alcohol-related crashes involving teenage drivers are down as much as 20 percent in those States. When all States have these laws, hundreds more lives will be saved and thousands of injuries will be prevented. I commend the Congress for heeding my call and making Zero Tolerance the standard nationwide for drivers under the age of 21.

I am also proud that citizens across the Nation are working to spread the word about the dangers of impaired driving. Vital partnerships have formed among Federal, State, and local government agencies, private businesses, and community groups. Last year, on December 15, many Americans observed “Lights on for Life Day” by driving with their headlights illuminated in remembrance of the victims of drunk and drugged driving. I hope that caring citizens will commemorate the same day this month, doing their part to help ensure a safe holiday season.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 1995, as National Drunk and Drugged Driving Prevention Month. I urge all Americans to recognize the dangers of impaired driving; to take responsibility for themselves, their guests, and their passengers; to stop anyone under the influence of drugs or alcohol from getting behind the wheel; and to help teach children safe driving behavior.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6854 of November 30, 1995

## World AIDS Day, 1995

*By the President of the United States of America*

*A Proclamation*

Today the world pauses to remember the millions of men, women, and children who are living with HIV and AIDS and to honor the memory of those who have lost their lives to this insidious disease. We renew our commitment to searching for a cure to AIDS and a vaccine for HIV, rededicate ourselves to reducing the number of people who become infected with the virus, and devote our efforts to protecting the dignity and rights of all those affected by the AIDS epidemic.

The statistics are overwhelming. Around the world, more than 18 million people are believed to be infected with HIV. In America alone, over half a million people have been struck by AIDS, and more than 300,000 have already lost their lives. Nearly 80,000 of our fellow citizens are diagnosed with AIDS and more than 40,000 are dying of the disease each year—some 120 every day. In addition, there are an estimated 40,000 to 60,000 Americans who contract HIV annually. The impact of these numbers goes far beyond the individuals involved—each AIDS death devastates a family, weakens a community, and changes society as a whole. HIV and AIDS present extraordinary challenges to every nation and every person on our planet.

In the past year, there has been some encouraging progress. Researchers from many countries have combined their knowledge and skills to better understand the virus that causes AIDS and its effects on the human body; new AIDS drugs are being developed and approved faster than ever before; we are beginning to find ways to rebuild immune systems destroyed by HIV so that those infected can live longer, healthier lives; and we are aggressively confronting this crisis with prevention programs at the grassroots and national levels.

But there is still much work to do. Half of all new infections occur among people under the age of 25, and one-fourth occur among teenagers. We must protect the next generation by continuing to improve the availability of health care services for those with HIV and AIDS. Since 1990, the Ryan White CARE Act has offered help and hope to hundreds of thousands of people, and we are working with the Congress to extend this vital program for an additional 5 years. However, while the CARE Act is an essential element of the safety net that protects people with HIV and AIDS, it cannot do the job alone. We must also maintain our 30-year commitment to the Medicaid program, which provides services to nearly half of all Americans living with AIDS and more than 90 percent of children with AIDS. Without the protection that Medicaid affords, these individuals and their families would lose all access to health care.

Let us also continue to ensure that our Nation responds aggressively and humanely to the needs of people living with HIV and AIDS. Throughout this epidemic, community organizations have taken the lead in the struggle against the disease and in efforts to provide compassionate care to those in need. Across this country and around the globe, generous people perform miracles every day—holding a hand, cooling a fever, listening, and understanding. Let us further support their efforts to build a better world

by strengthening the partnership between communities and government in the work to stop AIDS.

The theme of this eighth observance of World AIDS Day, "Shared Rights, Shared Responsibilities," is a call to fight against discrimination as strongly as we fight for a cure. When one human being is persecuted because of his or her HIV status, we all suffer. Let us pledge to stand together, united against HIV and AIDS and committed to ending ignorance and prejudice.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 1, 1995, as World AIDS Day. I ask the American people to join me in reaffirming our commitment to combatting HIV and AIDS and in reaching out to all those whose lives have been affected by this disease.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6855 of December 5, 1995**

### **Human Rights Day, Bill of Rights Day, and Human Rights Week, 1995**

*By the President of the United States of America  
A Proclamation*

More than 200 years ago, America's founders adopted the Bill of Rights to ensure the protection of our individual liberties. Enshrined in our Constitution are the fundamental guarantees to freedom of conscience, religion, expression, and association, as well as the rights to due process and a fair trial. Our Nation was formed on the principle that the protection and promotion of these rights are essential to a free and democratic society.

Peoples throughout the world look to the United States for leadership on human rights. In the aftermath of the Holocaust and the devastation of two world wars, our country led the international effort toward adoption of the Universal Declaration of Human Rights. For the nearly 50 years since December 10, 1948, this document has served as the standard for internationally accepted behavior by nations toward their citizens.

This year, our work to promote peace in areas of conflict and to support human rights, democracy, and the rule of law have continued to make a difference around the globe. Most recently, our efforts to foster a settlement to the terrible conflict in Bosnia resulted in an agreement that contains clear protections for human rights and humanitarian principles.

In Bosnia, and throughout the world, we have paid special attention to the most vulnerable victims of abuse—women and children. At the Fourth World Conference on Women in September of this year, the First Lady underscored our commitment to defending the rights of women and families,



and we have undertaken a range of initiatives to raise awareness of child exploitation, to oppose child labor, and to assist young victims of war.

We live in an era of great advances for freedom and democracy. Yet, sadly, it also remains a time of ongoing suffering and hardship in many countries. As a Nation long committed to promoting individual rights and human dignity, let us continue our efforts to ensure that people in all regions of the globe enjoy the same freedoms and basic human rights that have always made America great.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 10, 1995, as Human Rights Day, December 15, 1995, as Bill of Rights Day, and December 10 through December 16, 1995, as Human Rights Week. I call upon the people of the United States to celebrate these observances with appropriate programs, ceremonies, and activities that demonstrate our national commitment to the Constitution and the promotion of human rights for all people.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of December, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6856 of December 6, 1995**

### **National Pearl Harbor Remembrance Day, 1995**

*By the President of the United States of America  
A Proclamation*

America's involvement in World War II began 54 years ago as dawn was shattered by a surprise attack on our forces stationed at Pearl Harbor, Hawaii. In the words of President Franklin Delano Roosevelt, "December 7, 1941—a date which will live in infamy" began at 7:55 a.m. when Japan launched an offensive to destroy the United States Pacific Fleet. The losses suffered that day shocked our Nation with the realization that American soil was not immune to the ravages of war—at the end of the attack, more than 3,000 Americans were dead, missing, or wounded. We resolved to boldly defend our shores against further devastation. Just 4 years later, the same fleet that the Japanese had attempted to destroy at Pearl Harbor sailed triumphantly into Tokyo Bay.

The attack of Pearl Harbor marked the beginning of America's total mobilization against a common enemy, and the United States soon became the world's "Arsenal of Democracy." Citizens worked together toward a common goal as the "We Can Do It" attitude spread across the country. The landscape of American business was forever changed as over 19 million women and many minority workers took high-skill jobs to contribute to the war effort.

The courageous veterans who fought selflessly to bring an end to the war in the Pacific deserve our highest respect and our most profound gratitude. Today we honor the sacrifices that led to the ultimate victory—the triumph of freedom over tyranny. We also pay tribute to the families who contributed so much with their support, sacrifices, and prayers from the home front. A grateful Nation will long remember those who came home and those who did not.

In the post-Cold War era, it is vital that we pass along the lessons learned from Pearl Harbor to a new generation of Americans. We must never allow our country to be unprepared, and we must never again isolate ourselves from the problems of the world. This is the legacy we leave to our young people, and it is our responsibility to continue to teach them those lessons. By doing so, we reaffirm the values of democracy, freedom, and leadership that have made America great.

The Congress, by Public Law 103-308, has designated December 7, 1995, as “National Pearl Harbor Remembrance Day.”

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim December 7, 1995, as National Pearl Harbor Remembrance Day. I urge all Americans to observe this day with appropriate programs, ceremonies, and activities in honor of the Americans who served at Pearl Harbor. I also ask all Federal departments and agencies, organizations, and individuals to fly the flag of the United States at half-staff on this day in honor of those Americans who died as a result of the attack on Pearl Harbor.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of December, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

**Proclamation 6857 of December 11, 1995**

**To Modify the Harmonized Tariff Schedule of the United States, To Provide Rules of Origin Under the North American Free Trade Agreement for Affected Goods, and for Other Purposes**

*By the President of the United States of America*  
*A Proclamation*

1. Section 1205(a) of the Omnibus Trade and Competitiveness Act of 1988 (“the 1988 Act”) (19 U.S.C. 3005(a)) directs the United States International Trade Commission (“the Commission”) to keep the Harmonized Tariff Schedule of the United States (“HTS”) under continuous review and periodically to recommend to the President such modifications in the HTS as the Commission considers necessary or appropriate to accomplish the purposes set forth in that subsection.

2. Section 1206(a) of the 1988 Act (19 U.S.C. 3006(a)) authorizes the President to proclaim modifications to the HTS, based on the recommendations of the Commission under section 1205 of the 1988 Act (19 U.S.C. 3005), that he determines are in conformity with the obligations of the United States under the International Convention on the Harmonized Commodity Description and Coding System ("the Convention") and do not run counter to the national economic interest of the United States.

3. (a) Presidential Proclamation No. 6641 of December 15, 1993, implemented the North American Free Trade Agreement ("the NAFTA") with respect to the United States and, pursuant to sections 201 and 202 of the North American Free Trade Agreement Implementation Act ("the NAFTA Implementation Act") (19 U.S.C. 3331 and 3332), incorporated in the HTS the tariff modifications and rules of origin necessary or appropriate to carry out the NAFTA.

(b) Because the substance of the changes to the Convention will be reflected in slightly differing form in the national tariff schedules of the three parties to the NAFTA, the rules of origin and interpretative rules set forth in Appendix 6.A of Annex 300-B, Annex 401, and other annexes to the NAFTA must be modified to ensure that the agreed tariff and certain other treatment accorded under the NAFTA to originating goods will continue to be provided under the tariff categories affected by the modifications to the Convention. The NAFTA parties agreed, on November 6, 1995, to the text of necessary revisions to the NAFTA.

4. Section 202 of the NAFTA Implementation Act (19 U.S.C. 3332) provides certain rules for determining whether goods imported into the United States originate in the territory of a NAFTA party and thus are eligible for the tariff and other treatment contemplated under the NAFTA. Section 202(q) of the NAFTA Implementation Act (19 U.S.C. 3332(q)) authorizes the President to proclaim the rules of origin set out in the NAFTA and any additional subordinate tariff categories necessary to carry out the NAFTA Implementation Act consistent with the NAFTA.

5. Pursuant to section 1206(a) of the 1988 Act (19 U.S.C. 3006(a)) and section 202 of the NAFTA Implementation Act (19 U.S.C. 3332), I have determined (1) that the modifications to the HTS being proclaimed pursuant to section 1206(a) of the 1988 Act are in conformity with the obligations of the United States under the Convention and do not run counter to the national economic interest of the United States; and (2) that the modifications to the HTS being proclaimed pursuant to section 202 of the NAFTA Implementation Act must be incorporated in the HTS in order to ensure that the tariff and certain other treatment accorded under the NAFTA will continue to be given to NAFTA originating goods. The report and lay-over requirements of section 1206(b) of the 1988 Act (19 U.S.C. 3006(b)) and section 202(q)(2) of the NAFTA Implementation Act (19 U.S.C. 3332(q)) have been complied with.

6. (a) Presidential Proclamation No. 6763 of December 23, 1994, implemented with respect to the United States the trade agreements resulting from the Uruguay Round of multilateral trade negotiations, entered into pursuant to sections 1102(a) and (e) of the 1988 Act (19 U.S.C. 2902(a) and (e)), including Schedule XX—United States of America, annexed to the Marrakesh Protocol to the General Agreement on Tariffs and Trade 1994 ("Schedule XX"). Certain provisions set forth in annexes to that proclama-

tion contain technical errors in the instructions for implementing particular changes.

(b) Sections 1102(a) and (e) of the 1988 Act (19 U.S.C. 2902(a) and (e)) authorize the President to proclaim such modification or continuance of any existing duty, such continuance of existing duty-free or excise treatment, or such additional duties, as he determines to be required or appropriate to carry out any trade agreements entered into under those sections. Section 111(a) of the Uruguay Round Agreements Act ("the URAA") (19 U.S.C. 3521(a)) authorizes the President to proclaim such other modification of any duty, such other staged rate reduction, or such additional duties as the President determines to be necessary or appropriate to carry out Schedule XX. To clarify the intent of the changes previously proclaimed, I have decided that such technical errors should be corrected.

7. Section 604 of the Trade Act of 1974, as amended ("the 1974 Act") (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, of other acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to section 604 of the 1974 Act (19 U.S.C. 2483), sections 1102, 1205, and 1206 of the 1988 Act (19 U.S.C. 2902, 3005, and 3006), sections 201 and 202 of the NAFTA Implementation Act (19 U.S.C. 3331 and 3332), and section 111(a) of the URAA (19 U.S.C. 3521(a)), do hereby proclaim:

(1) In order to modify the rules of origin under the NAFTA to reflect the amendments agreed to by the NAFTA parties, and to make certain conforming changes, the general notes to the HTS are modified as set forth in Annex I to this proclamation.

(2) In order to make changes in the HTS to conform it to the Convention or any amendment thereto recommended for adoption, to promote the uniform application of the Convention, to establish additional subordinate tariff categories to carry out modifications to the rules of origin under the NAFTA, and to make technical and conforming changes to existing provisions, the HTS is modified as set forth in Annex II to this proclamation.

(3) In order to provide for the continuation of previously proclaimed staged duty reductions in the Rates of Duty 1-General subcolumn under section 111(a) of the URAA (19 U.S.C. 3521(a)), as provided in Presidential Proclamation No. 6763 of December 23, 1994, for goods in the provisions modified in Annex II to this proclamation that are entered or withdrawn from warehouse for consumption on or after the dates specified in section A of Annex III to this proclamation, the rate of duty in the HTS set forth in the Rates of Duty 1-General subcolumn for each of the HTS subheadings enumerated in section A of Annex III shall be deleted and the rate of duty provided in such section A inserted in lieu thereof.

(4) In order to provide for the continuation of previously proclaimed tariff modifications and staged duty reductions under section 201 of the NAFTA Implementation Act (19 U.S.C. 3331), as implemented with respect to the United States in Presidential Proclamation No. 6641 of December 15, 1993, for goods of Canada and of Mexico under the terms of general note

12 to the HTS classifiable in the tariff provisions set forth in or affected by Annex II to this proclamation that are entered or withdrawn from warehouse for consumption on or after the dates specified in sections B and C, respectively, of Annex III to this proclamation, the appropriate rate of duty in the HTS set forth in the Rates of Duty 1-Special subcolumn followed by the symbol "CA" or "MX", respectively, for each of the HTS subheadings enumerated in sections B and C of Annex III shall be deleted and the rate of duty provided in such sections inserted in lieu thereof.

(5) (a) In order to make technical corrections to certain provisions of the annexes to Presidential Proclamation No. 6763 of December 23, 1994, such provisions are modified as set forth in Annex IV to this proclamation.

(b) All provisions of previous proclamations and Executive orders inconsistent with the actions taken in this proclamation are hereby superseded to the extent of such inconsistency.

(6) (a) The modifications to the HTS made by Annexes I and II to this proclamation shall be effective with respect to goods entered or withdrawn from warehouse for consumption on and after the later of (i) January 1, 1996, or (ii) the date that is 15 days after the date of publication of this proclamation in the **Federal Register**.

(b) The modifications to the HTS made by Annexes III and IV to this proclamation shall be effective with respect to goods entered or withdrawn from warehouse for consumption on and after the dates specified in such annexes to this proclamation for each action specified.

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of December, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

**WILLIAM J. CLINTON**

ANNEX I

MODIFICATIONS TO THE GENERAL NOTES TO THE  
HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTS)

Effective with respect to articles that are entered, or withdrawn from warehouse for consumption, on or after the later of (1) January 1, 1996, or (2) the fifteenth day after the date of publication of this proclamation in the Federal Register, the HTS is modified as provided herein:

Modifications to general note 12 to the HTS, other than to subdivision (t) of such note:

1. General note 12(c)(iv)(D)(4) is modified by deleting "8469.10.40" and by inserting in lieu thereof "8469.11".
2. General note 12(f)(iii)(D) and 12(r)(v)(A) are each modified by deleting "2101.10.21" and by inserting in lieu thereof "2101.11.21".

Modifications to the tariff classification rules ("TCRs") of subdivision (t) of general note 12:

1. TCR 1 for chapter 15 is modified by adding after the word "chapter" the expression ", except from heading 3823".
2. TCRs 2 through 6, inclusive, for chapter 15 are deleted, TCR 7 is redesignated as TCR 3, and the following new TCR 2 is inserted in numerical sequence:
  - "2. A change to heading 1520 from any other heading, except from heading 3823."
3. TCR 7 for chapter 19 is deleted and the following new TCRs are inserted in lieu thereof:
  - "7. A change to headings 1902 through 1903 from any other chapter.
  8. A change to subheading 1904.10 from any other chapter.
  9. A change to subheading 1904.20 from any other subheading, except from chapter 20.
  10. A change to subheading 1904.90 from any other chapter.
  11. A change to heading 1905 from any other chapter."
4. TCR 1 for chapter 21 is modified by deleting "2101.10.21" and by inserting in lieu thereof "2101.11.21".
5. TCR 13 for chapter 21 is redesignated as TCR 14, and the following new TCR 13 is inserted in numerical sequence:
  - "13. A change to tariff items 2106.90.12, 2106.90.15 or 2106.90.18 from any other tariff item, except from headings 2203 through 2209."
6. TCR 7 for chapter 22 is modified by adding after "group" the following:
  - ", except from tariff items 2106.90.12, 2106.90.15 or 2106.90.18".

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7. TCR 1 for chapter 24 is modified to read as follows:

- "1. A change to headings 2401 through 2403 from tariff items 2401.10.21, 2401.20.14 or 2403.01.20 or any other chapter."

8. TCRs 1 through 12, inclusive, for chapter 28 are deleted and the following new TCRs are inserted in lieu thereof:

- "1. A change to subheadings 2801.10 through 2801.30 from any other subheading, including another subheading within that group.
2. A change to headings 2802 through 2803 from any other heading, including another heading within that group.
3. A change to subheadings 2804.10 through 2804.50 from any other subheading, including another subheading within that group.
4. (A) A change to subheadings 2804.61 through 2804.69 from any subheading outside that group; or  
(B) A change to subheadings 2804.61 through 2804.69 from any other subheading within that group, whether or not there is also a change from any subheading outside that group, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
5. A change to subheadings 2804.70 through 2804.90 from any other subheading, including another subheading within that group.
6. A change to subheadings 2805.11 through 2805.40 from any other subheading, including another subheading within that group.
7. (A) A change to subheading 2806.10 from any other subheading, except from subheading 2801.10; or  
(B) A change to subheading 2806.10 from subheading 2801.10, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
8. A change to subheading 2806.20 from any other subheading.
9. A change to headings 2807 through 2808 from any other heading, including another heading within that group.
10. A change to subheadings 2809.10 through 2814.20 from any other subheading, including another subheading within that group.
11. (A) A change to subheadings 2815.11 through 2815.12 from any other heading; or  
(B) A change to subheadings 2815.11 through 2815.12 from any other subheading within heading 2815, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
12. A change to subheading 2815.20 from any other subheading.

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8. TCRs 1 through 12, inclusive, for chapter 28 are deleted and the following new TCRs are inserted in lieu thereof (continued):

13. (A) A change to subheading 2815.30 from any other subheading, except from subheading 2815.11 through 2815.20; or  
(B) A change to subheading 2815.30 from subheadings 2815.11 through 2815.20, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
14. A change to subheadings 2816.10 through 2818.30 from any other subheading, including another subheading within that group.
15. (A) A change to subheading 2819.10 from any other heading; or  
(B) A change to subheading 2819.10 from subheading 2819.90, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
16. A change to subheading 2819.90 from any other subheading.
17. (A) A change to subheading 2820.10 from any other heading; or  
(B) A change to subheading 2820.10 from subheading 2820.90, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
18. A change to subheading 2820.90 from any other subheading.
19. (A) A change to subheadings 2821.10 through 2821.20 from any other heading; or  
(B) A change to subheadings 2821.10 through 2821.20 from any other subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
20. A change to headings 2822 through 2823 from any other heading, including another heading within that group.
21. (A) A change to subheadings 2824.10 through 2824.90 from any other heading; or  
(B) A change to subheadings 2824.10 through 2824.90 from any other subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.



8. TCRs 1 through 12, inclusive, for chapter 28 are deleted and the following new TCRs are inserted in lieu thereof (continued):

22. A change to subheadings 2825.10 through 2828.90 from any other subheading, including another subheading within that group.
23. A change to subheading 2829.11 from any other subheading.
24. (A) A change to subheadings 2829.19 through 2829.90 from any other chapter, except from chapters 28 through 38; or  
 (B) A change to subheadings 2829.19 through 2829.90 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
25. A change to subheadings 2830.10 through 2835.39 from any other subheading, including another subheading within that group.
26. A change to subheading 2836.10 from any other subheading.
27. (A) A change to subheadings 2836.20 through 2836.30 from any subheading outside that group; or  
 (B) A change to subheadings 2836.20 through 2836.30 from any other subheading within that group, whether or not there is also a change from any subheading outside that group, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
28. A change to subheadings 2836.40 through 2836.99 from any other subheading, including another subheading within that group.
29. A change to subheadings 2837.11 through 2850.00 from any other subheading, including another subheading within that group.
30. (A) A change to heading 2851 from any other chapter, except from chapters 28 through 38; or  
 (B) A change to heading 2851 from any other subheading within chapters 28 through 38, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used."

9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof:

- "1. A change to subheadings 2901.10 through 2901.29 from any other subheading, including another subheading within that group.
2. A change to subheadings 2902.11 through 2902.44 from any other subheading, including another subheading within that group.

9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

3. (A) A change to subheading 2902.50 from any other subheading, except from subheading 2902.60; or  
(B) A change to subheading 2902.50 from subheading 2902.60, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
4. A change to subheadings 2902.60 through 2902.90 from any other subheading, including another subheading within that group.
5. (A) A change to subheadings 2903.11 through 2903.30 from any other subheading, including another subheading within that group, except from headings 2901 or 2902; or  
(B) A change to subheadings 2903.11 through 2903.30 from headings 2901 or 2902, whether or not there is also a change from any other subheading, including another subheading within subheadings 2903.11 through 2903.30, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
6. (A) A change to subheadings 2903.41 through 2903.69 from any other subheading, including another subheading within that group, except from headings 2901 or 2902; or  
(B) A change to subheadings 2903.41 through 2903.69 from headings 2901 or 2902, whether or not there is also a change from any other subheading, including another subheading within subheadings 2903.41 through 2903.69, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
7. (A) A change to subheadings 2904.10 through 2904.90 from any other subheading, including another subheading within that group, except from headings 2901 through 2903; or  
(B) A change to subheadings 2904.10 through 2904.90 from headings 2901 through 2903, whether or not there is also a change from any other subheading, including another subheading within subheadings 2904.10 through 2904.90, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
8. (A) A change to subheadings 2905.11 through 2905.45 from any other subheading, including another subheading within that group; or  
(B) A change to esters of glycerol formed with acids of heading 2904 from glycerol of subheading 2905.45.

9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

9. (A) A change to tariff item 2905.49.20 from any other tariff item, except from headings 2901 through 2903; or
- (B) A change to tariff item 2905.49.20 from headings 2901 through 2903, whether or not there is also a change from any other tariff item, provided there is a regional value content of not less than:
  - (1) 60 per cent where the transaction value method is used, or
  - (2) 50 per cent where the net cost method is used.
10. A change to subheading 2905.49 from any other subheading.
11. A change to subheading 2905.50 from any other subheading.
12. A change to subheadings 2906.11 through 2907.30 from any other subheading, including another subheading within that group.
13. (A) A change to subheadings 2908.10 through 2908.90 from any other heading, except from heading 2907; or
- (B) A change to subheadings 2908.10 through 2908.90 from any other subheading within that group or heading 2907, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
14. (A) A change to subheadings 2909.11 through 2909.20 from any other heading; or
- (B) A change to subheadings 2909.11 through 2909.20 from any other subheading within heading 2909, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
15. A change to subheading 2909.30 from any other subheading.
16. (A) A change to subheadings 2909.41 through 2909.60 from any other heading; or
- (B) A change to subheadings 2909.41 through 2909.60 from any other subheading within heading 2909, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
17. A change to subheadings 2910.10 through 2911.00 from any other subheading, including another subheading within that group.
18. A change to subheading 2912.11 from any other subheading.

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9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

19. (A) A change to subheading 2912.12 from any other subheading, except from subheading 2901.21; or  
(B) A change to subheading 2912.12 from subheading 2901.21, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
20. A change to subheadings 2812.13 through 2912.50 from any other subheading, including another subheading within that group.
21. (A) A change to subheading 2912.60 from any other subheading, except from subheading 2912.11; or  
(B) A change to subheading 2912.60 from subheading 2912.11, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
22. (A) A change to heading 2913 from any other heading, except from heading 2912; or  
(B) A change to heading 2913 from heading 2912, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
23. A change to subheadings 2914.11 through 2914.70 from any other subheading, including another subheading within that group.
24. A change to subheading 2915.11 from any other subheading.
25. (A) A change to subheading 2915.12 from any other subheading, except from subheading 2915.11; or  
(B) A change to subheading 2915.12 from subheading 2915.11, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
26. A change to subheading 2915.13 from any other subheading.
27. (A) A change to subheading 2915.21 from any other subheading, except from subheading 2912.12; or  
(B) A change to subheading 2915.21 from subheading 2912.12, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.

9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

28. (A) A change to subheadings 2915.22 through 2915.31 from any other subheading, including another subheading within that group, except from subheading 2915.21; or
  - (B) A change to subheadings 2915.22 through 2915.31 from subheading 2915.21, whether or not there is also a change from any other subheading, including another subheading within that group, provided there is a regional value content of not less than:
    - (1) 60 percent where the transaction value method is used, or
    - (2) 50 percent where the net cost method is used.
29. A change to subheading 2915.32 from any other subheading.
30. (A) A change to subheadings 2915.33 through 2915.34 from any other subheading, including another subheading within that group, except from subheading 2915.21; or
  - (B) A change to subheadings 2915.33 through 2915.34 from subheading 2915.21, whether or not there is also a change from any other subheading, including another subheading within that group, provided there is a regional value content of not less than:
    - (1) 60 percent where the transaction value method is used, or
    - (2) 50 percent where the net cost method is used.
31. A change to subheading 2915.35 from any other subheading.
32. (A) A change to subheadings 2915.39 through 2915.40 from any other subheading, including another subheading within that group, except from subheading 2915.21; or
  - (B) A change to subheadings 2915.39 through 2915.40 from subheading 2915.21, whether or not there is also a change from any other subheading, including another subheading within that group, provided there is a regional value content of not less than:
    - (1) 60 percent where the transaction value method is used, or
    - (2) 50 percent where the net cost method is used.
33. A change to subheadings 2915.50 through 2915.70 from any other subheading, including another subheading within that group.
34. (A) A change to subheading 2915.90 from any other subheading; or
  - (B) A change to valproic salts of subheading 2915.90 from valproic acids of subheading 2915.90.
35. A change to subheadings 2916.11 through 2917.39 from any other subheading, including another subheading within that group.
36. A change to subheadings 2918.11 through 2918.21 from any other subheading, including another subheading within that group.
37. (A) A change to subheadings 2918.22 through 2918.23 from any other subheading, including another subheading within that group, except from subheading 2918.21; or
  - (B) A change to subheadings 2918.22 through 2918.23 from subheading 2918.21, whether or not there is also a change from any other subheading, including another subheading within that group, provided there is a regional value content of not less than:
    - (1) 60 percent where the transaction value method is used, or
    - (2) 50 percent where the net cost method is used.

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9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

38. (A) A change to subheadings 2918.29 through 2918.30 from any other subheading, including another subheading within that group; or
- (B) A change to parabens of subheading 2918.29 from p-hydroxybenzoic acid of subheading 2918.29.
39. (A) A change to subheading 2918.90 from any other subheading, except from subheadings 2908.10 or 2915.40; or
- (B) A change to subheading 2918.90 from subheadings 2908.10 or 2915.40, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
40. A change to heading 2919 from any other heading.
41. A change to subheadings 2920.10 through 2920.90 from any other subheading, including another subheading within that group.
42. (A) A change to subheadings 2921.11 through 2921.12 from any other heading, except from headings 2901, 2902, 2904, 2916, 2917 or 2926; or
- (B) A change to subheadings 2921.11 through 2921.12 from any other subheading within heading 2921, including another subheading within that group, or headings 2901, 2902, 2904, 2916, 2917 or 2926, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
43. A change to subheading 2921.19 from any other subheading.
44. (A) A change to subheadings 2921.21 through 2921.29 from any other heading, except from headings 2901, 2902, 2904, 2916, 2917 or 2926; or
- (B) A change to subheadings 2921.21 through 2921.29 from any other subheading within heading 2921, including another subheading within that group, or headings 2901, 2902, 2904, 2916, 2917 or 2926, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
45. A change to subheading 2921.30 from any other subheading.
46. (A) A change to subheadings 2921.41 through 2921.59 from any other heading, except from headings 2901, 2902, 2904, 2916, 2917 or 2926; or
- (B) A change to subheadings 2921.41 through 2921.59 from any other subheading within heading 2921, including another subheading within that group, or headings 2901, 2902, 2904, 2916, 2917 or 2926, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.

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9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

47. (A) A change to subheadings 2922.11 through 2922.50 from any other heading, except from headings 2905 through 2921; or  
(B) A change to subheadings 2922.11 through 2922.50 from any other subheading within that group or headings 2905 through 2921, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
48. A change to subheadings 2923.10 through 2923.90 from any other subheading, including another subheading within that group.
49. A change to subheading 2924.10 from any other subheading.
50. (A) A change to subheading 2924.21 from any other subheading, except from subheading 2917.20; or  
(B) A change to subheading 2924.21 from subheading 2917.20, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
51. (A) A change to subheadings 2924.22 through 2924.29 from any subheading outside that group, except from subheading 2917.20; or  
(B) A change to subheadings 2924.22 through 2924.29 from any other subheading within that group or subheading 2917.20, whether or not there is also a change from any subheading outside that group, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
52. A change to subheadings 2925.11 through 2928.00 from any other subheading, including another subheading within that group.
53. (A) A change to subheadings 2929.10 through 2929.90 from any other subheading, including another subheading within that group, except from heading 2921; or  
(B) A change to subheadings 2929.10 through 2929.90 from heading 2921, whether or not there is also a change from any other subheading, including another subheading within that group, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
54. A change to subheadings 2930.10 through 2930.90 from any other subheading, including another subheading within that group.
55. A change to heading 2931 from any other heading.

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9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

56. (A) A change to subheadings 2932.11 through 2932.99 from any other heading; or
- (B) A change to subheadings 2932.11 through 2932.99 from any other subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
57. (A) A change to subheadings 2933.11 through 2933.69 from any other heading; or
- (B) A change to subheadings 2933.11 through 2933.69 from any other subheading within heading 2933, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
58. (A) A change to subheading 2933.71 from any other chapter, except from chapters 28 through 38; or
- (B) A change to subheading 2933.71 from any other subheading within chapters 28 through 38, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
59. (A) A change to subheadings 2933.79 through 2933.90 from any other heading; or
- (B) A change to subheadings 2933.79 through 2933.90 from any other subheading within heading 2933, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
60. (A) A change to subheadings 2934.10 through 2934.90 from any other subheading, including another subheading within that group; or
- (B) A change to nucleic acids of subheading 2934.90 from other heterocyclic compounds of subheading 2934.90.
61. A change to heading 2935 from any other heading.
62. (A) A change to subheadings 2936.10 through 2936.90 from any other heading; or
- (B) A change to subheadings 2936.10 through 2936.90 from any other subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.



9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

63. (A) A change to subheadings 2937.10 through 2937.99 from any other chapter, except from chapters 28 through 38; or  
(B) A change to subheadings 2937.10 through 2937.99 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
64. (A) A change to subheadings 2938.10 through 2938.90 from any other heading, except from heading 2940; or  
(B) A change to subheadings 2938.10 through 2938.90 from any other subheading within that group or heading 2940, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
65. A change to subheadings 2939.10 through 2939.90 from any other subheading, including another subheading within that group.
66. (A) A change to heading 2940 from any other heading, except from heading 2938; or  
(B) A change to heading 2940 from heading 2938, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
67. (A) A change to subheadings 2941.10 through 2941.90 from any other chapter, except from chapters 28 through 38; or  
(B) A change to subheadings 2941.10 through 2941.90 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
68. (A) A change to heading 2942 from any other chapter, except from chapter 28 through 38; or  
(B) A change to heading 2942 from any other heading within chapter 28 through 38, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used."

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10. TCRs 1 through 6, inclusive, for chapter 30 are deleted and the following new TCRs are inserted in lieu thereof:

- \*1. (A) A change to subheadings 3001.10 through 3001.20 from any other heading; or
- (B) A change to subheadings 3001.10 through 3001.20 from any other subheading within heading 3001, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the not cost method is used.
2. A change to subheading 3001.90 from any other subheading.
3. A change to subheadings 3002.10 through 3002.90 from any other subheading, including another subheading within that group.
4. (A) A change to subheadings 3003.10 through 3003.90 from any other heading; or
- (B) A change to subheadings 3003.10 through 3003.90 from any other heading within heading 3003, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the not cost method is used.
5. (A) A change to subheadings 3004.10 through 3004.32 from any other heading, except from heading 3003; or
- (B) A change to subheadings 3004.10 through 3004.32 from heading 3003 or any other subheading within heading 3004, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the not cost method is used.
6. A change to subheading 3004.39 from any other subheading.
7. (A) A change to subheadings 3004.40 through 3004.50 from any other heading, except from heading 3003; or
- (B) A change to subheadings 3004.40 through 3004.50 from heading 3003 or any other subheading within heading 3004, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the not cost method is used.
8. A change to subheading 3004.90 from any other subheading.

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10. TCRs 1 through 6, inclusive, for chapter 30 are deleted and the following new TCRs are inserted in lieu thereof (continued):

9. (A) A change to subheadings 3005.10 through 3005.90 from any other heading; or
- (B) A change to subheadings 3005.10 through 3005.90 from any other heading within heading 3003, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
10. (A) A change to subheading 3006.10 from any other heading; or
- (B) A change to subheading 3006.10 from any other subheading within heading 3006, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
11. A change to subheading 3006.20 from any other subheading.
12. (A) A change to subheadings 3006.30 through 3006.60 from any other heading; or
- (B) A change to subheadings 3006.30 through 3006.60 from any other subheading within heading 3006, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used."

11. TCR 1 for chapter 31 is deleted and the following new TCRs are inserted in lieu thereof:

- "1. A change to heading 3101 from any other heading.
2. A change to subheadings 3102.10 through 3105.90 from any other subheading, including another subheading within that group."

12. TCRs 1 through 9, inclusive, for chapter 32 are deleted and the following new TCRs are inserted in lieu thereof:

- "1. A change to subheadings 3201.10 through 3202.90 from any other heading, including another subheading within that group.
2. A change to heading 3203 from any other heading.
3. A change to subheadings 3204.11 through 3204.16 from any other subheading, including another subheading within that group.

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12. TCRs 1 through 9, inclusive, for chapter 32 are deleted and the following new TCRs are inserted in lieu thereof (continued):

4. (A) For any color, as defined under the Color Index, identified in the following list of colors, a change to subheading 3204.17 from any other subheading:  
  
    Pigment yellow: 1, 3, 16, 55, 61, 62, 65, 73, 74, 75, 81, 97, 120, 151, 152, 154, 156, and 175;  
  
    Pigment orange: 4, 5, 13, 34, 36, 60, and 62;  
  
    Pigment red: 2, 3, 5, 12, 13, 14, 17, 18, 19, 22, 23, 24, 31, 32, 48, 49, 52, 53, 57, 63, 112, 119, 133, 146, 170, 171, 175, 176, 183, 185, 187, 188, 208, and 210; or  
  
    (B) For any color, as defined under the Color Index, not identified in the list of colors:  
  
        (1) a change to subheading 3204.17 from any other subheading, except from within chapter 29; or  
  
        (2) a change to subheading 3204.17 from any subheading within chapter 29, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:  
  
            (I) 60 percent where the transaction value method is used, or  
  
            (II) 50 percent where the net cost method is used.
5. (A) A change to subheading 3204.19 from any other heading; or  
  
    (B) A change to subheading 3204.19 from any other subheading within heading 3204, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:  
  
        (1) 60 percent where the transaction value method is used, or  
  
        (2) 50 percent where the net cost method is used.
6. (A) A change to subheadings 3204.20 through 3204.90 from any other chapter, except from chapters 28 through 38; or  
  
    (B) A change to subheadings 3204.20 through 3204.90 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:  
  
        (1) 60 percent where the transaction value method is used, or  
  
        (2) 50 percent where the net cost method is used.
7. A change to heading 3205 from any other heading.
8. (A) A change to subheadings 3206.11 through 3206.50 from any other chapter, except from chapter 28 through 38; or  
  
    (B) A change to subheadings 3206.11 through 3206.50 from any other subheading within chapter 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:  
  
        (1) 60 percent where the transaction value method is used, or  
  
        (2) 50 percent where the net cost method is used.

12. TCRs 1 through 9, inclusive, for chapter 32 are deleted and the following new TCRs are inserted in lieu thereof (continued):

9. A change to subheadings 3207.10 through 3207.40 from any other subheading, including another subheading within that group.
10. A change to headings 3208 through 3210 from any heading outside that group.
11. A change to heading 3211 from any other heading.
12. A change to subheadings 3212.10 through 3212.90 from any other subheading, including another subheadings within that group.
13. A change to heading 3213 from any other heading.
14. A change to subheadings 3214.10 through 3214.90 from any other subheading, including another subheading within that group.
15. A change to heading 3215 from any other heading."

13. TCRs 1 through 4, inclusive, for chapter 33 are deleted and the following new TCRs are inserted in lieu thereof:

- "1. A change to subheading 3301.11 from any other subheading.
2. (A) A change to subheadings 3301.12 through 3301.13 from any other chapter; or  
(B) A change to subheadings 3301.12 through 3301.13 from any other subheading within chapter 33, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
3. A change to subheading 3301.14 from any other subheading.
4. (A) A change to subheading 3301.19 from any other chapter; or  
(B) A change to subheading 3301.19 from any other subheading within chapter 33, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
5. A change to subheadings 3301.21 through 3301.26 from any other subheading, including another subheadings within that group.
6. (A) A change to subheadings 3301.29 through 3301.90 from any other chapter; or  
(B) A change to subheadings 3301.29 through 3301.90 from any other subheading within chapter 33, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
7. A change to heading 3302 from any other heading, except from headings 2207 through 2208.

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13. TCRs 1 through 4, inclusive, for chapter 33 are deleted and the following new TCRs are inserted in lieu thereof (continued):

8. (A) A change to heading 3303 from any other chapter; or  
(B) A change to heading 3303 from any other heading within chapter 33, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
9. (A) A change to subheadings 3304.10 through 3305.90 from any heading outside that group, except from headings 3306 through 3307; or  
(B) A change to subheadings 3304.10 through 3305.90 from any other subheading within that group or headings 3306 through 3307, whether or not there is also a change from any heading outside that group, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
10. (A) A change to subheading 3306.10 from any other heading, except from headings 3304 through 3305 or 3307; or  
(B) A change to subheadings 3306.10 from headings 3304 through 3305 or 3307, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
11. A change to subheading 3306.20 from any other subheading, except from headings 3301 through 3303, chapter 34 or headings 3301 through 3307.
12. (A) A change to subheading 3306.90 from any other heading, except from headings 3304 through 3305 or 3307; or  
(B) A change to subheading 3306.90 from headings 3304 through 3305 or 3307, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
13. (A) A change to subheadings 3307.10 through 3307.90 from any other heading, except from headings 3304 through 3306; or  
(B) A change to subheadings 3307.10 through 3307.90 from headings 3304 through 3306, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used."

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14. TCRs 2 through 6, inclusive, for chapter 34 are deleted, TCR 7 is renumbered as TCR 10, and the following new TCRs are inserted in numerical sequence:

- "2. (A) A change to subheadings 3402.11 through 3402.12 from any other heading, except to linear alkylbenzene sulfonic acid or linear alkylbenzene sulfonates of subheading 3402.11 from linear alkylbenzene of subheading 3817.10; or
- (B) A change to subheadings 3402.11 through 3402.12 from any other subheading, including another subheading within heading 3402, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 65 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
- 3. A change to subheading 3402.13 from any other subheading.
- 4. (A) A change to subheading 3402.19 from any other heading; or
- (B) A change to subheading 3402.19 from any other subheading within heading 3402, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 65 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
- 5. (A) A change to subheadings 3402.20 through 3402.90 from any subheading outside that group; or
- (B) A change to subheadings 3402.20 through 3402.90 from any other subheading within that group, whether or not there is also a change from any subheading outside that group, provided there is a regional value content of not less than:
  - (1) 65 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
- 6. A change to subheadings 3403.11 through 3403.99 from any other subheading, including another subheading within that group.
- 7. A change to subheadings 3404.10 through 3404.90 from any other subheading, including another subheading within that group.
- 8. A change to subheadings 3405.10 through 3405.48 from any other subheading, including another subheading within that group.
- 9. (A) A change to subheading 3405.90 from any other heading; or
- (B) A change to subheading 3405.90 from any other subheading within heading 3405, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 65 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used."

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15. TCRs 1 and 2 for chapter 35 are deleted, TCR 6 is deleted, TCRs 3 through 5 are renumbered as 4 through 6, respectively, and the following new TCRs 1 through 3, inclusive, and 7 for chapter 35 are inserted in numerical sequence:

- "1. A change to subheadings 3501.10 through 3501.90 from any other subheading, including another subheading within that group.
2. A change to subheadings 3502.11 through 3502.19 from any subheading outside that group.
3. A change to subheadings 3502.20 through 3502.90 from any other subheading, including another subheading within that group.
7. A change to subheadings 3507.10 through 3507.90 from any other subheading, including another subheading within that group."

16. TCR 4 for chapter 36 is deleted and the following new TCRs for chapter 36 are inserted in lieu thereof:

- "4. A change to subheading 3606.10 from any other subheading.
5. (A) A change to subheading 3606.90 from any other heading; or  
(B) A change to subheading 3606.90 from any other subheading within heading 3606, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 65 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used."

17. TCRs 1 through 3, inclusive, for chapter 38 are deleted and the following new TCRs for chapter 38 are inserted in lieu thereof:

- "1. A change to subheadings 3801.10 through 3801.90 from any other subheading, including another subheading within that group.
2. (A) A change to subheadings 3802.10 through 3802.90 from any other heading; or  
(B) A change to subheadings 3802.10 through 3802.90 from any other subheading within heading 3802, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
3. A change to headings 3803 through 3804 from any other heading, including another heading within that group.
4. A change to subheadings 3805.10 through 3805.90 from any other subheading, including another subheading within that group.
5. A change to subheadings 3806.10 through 3806.90 from any other subheading, including another subheading within that group.
6. A change to heading 3807 from any other heading.



17. TCRs 1 through 3, inclusive, for chapter 38 are deleted and the following new TCRs for chapter 38 are inserted in lieu thereof (continued):

7. A change to heading 3808 from any other heading, provided there is a regional value content of not less than:
  - (A) 60 percent where the transaction value method is used and the good contains no more than one active ingredient, or 80 percent where the transaction value method is used and the good contains more than one active ingredient; or
  - (B) 50 percent where the net cost method is used and the good contains no more than one active ingredient, or 70 percent where the net cost method is used and the good contains more than one active ingredient.
8. (A) A change to subheading 3809.10 from any other subheading, except from subheading 3505.10; or  
(B) A change to subheading 3809.10 from subheading 3505.10, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
9. A change to subheadings 3809.91 through 3809.92 from any other subheading, including another subheading within that group.
10. (A) A change to subheading 3809.93 from any other heading; or  
(B) A change to subheading 3809.93 from any other subheading within heading 3809, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
11. (A) A change to subheadings 3810.10 through 3810.90 from any other chapter, except from chapters 28 through 38; or  
(B) A change to subheadings 3810.10 through 3810.90 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
12. (A) A change to subheadings 3811.11 through 3811.19 from any other chapter, except from chapters 28 through 38; or  
(B) A change to subheadings 3811.11 through 3811.19 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
13. A change to subheadings 3811.21 through 3811.29 from any other subheading, including another subheading within that group.

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17. TCRs 1 through 3, inclusive, for chapter 38 are deleted and the following new TCRs for chapter 38 are inserted in lieu thereof (continued):

14. (A) A change to subheading 3811.90 from any other chapter, except from chapters 28 through 38; or  
(B) A change to subheading 3811.90 from any other subheading within chapters 28 through 38, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
15. (A) A change to subheadings 3812.10 through 3812.30 from any other chapter, except from chapters 28 through 38; or  
(B) A change to subheadings 3812.10 through 3812.30 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
16. A change to headings 3813 through 3814 from any other heading, including another heading within that group.
17. A change to subheadings 3815.11 through 3815.90 from any other subheading, including another subheading within that group.
18. (A) A change to heading 3816 from any other chapter, except from chapters 28 through 38; or  
(B) A change to heading 3816 from any other subheading within chapters 28 through 38, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
19. A change to subheadings 3817.10 through 3817.20 from any other subheading, including another subheading within that group.
20. A change to headings 3818 through 3819 from any other heading, including another heading within that group.
21. (A) A change to heading 3820 from any other heading, except from subheading 2905.31 or 2905.49; or  
(B) A change to heading 3820 from subheading 2905.31 or 2905.49, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.

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17. TCRs 1 through 3, inclusive, for chapter 38 are deleted and the following new TCRs for chapter 38 are inserted in lieu thereof (continued):

- 22. (A) A change to heading 3821 from any other heading, except from heading 35.03; or
  - (B) A change to heading 3821 from heading 3503, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:
    - (1) 60 percent where the transaction value method is used, or
    - (2) 50 percent where the net cost method is used.
- 23. (A) A change to heading 3822 from any other chapter, except from chapters 28 through 38; or
  - (B) A change to heading 3822 from any other subheading within chapters 28 through 38, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
    - (1) 60 percent where the transaction value method is used, or
    - (2) 50 percent where the net cost method is used.
- 24. A change to subheadings 3823.11 through 3823.13 from any other heading, except from heading 1520.
- 25. A change to subheading 3823.19 from any other subheading.
- 26. A change to subheading 3823.70 from any other heading, except from heading 1520.
- 27. A change to subheadings 3824.10 through 3824.20 from any other subheading, including another subheading within that group.
- 28. (A) A change to subheading 3824.30 from any other subheading, except from heading 2849; or
  - (B) A change to subheading 3824.30 from heading 2849, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:
    - (1) 60 percent where the transaction value method is used, or
    - (2) 50 percent where the net cost method is used.
- 29. A change to subheadings 3824.40 through 3824.60 from any other subheading, including another subheading within that group.
- 30. (A) A change to subheadings 3824.71 through 3824.90 from any other chapter, except from chapters 28 through 38; or
  - (B) A change to subheadings 3824.71 through 3824.90 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:
    - (1) 60 percent where the transaction value method is used, or
    - (2) 50 percent where the net cost method is used."

18. TCRs 5 and 8 for chapter 39 are each modified by deleting the word "percentage".

19. TCR 2 for chapter 54 is modified by deleting "5407.60.11, 5407.60.21 or 5407.60.91" and by inserting in lieu thereof "5407.61.11, 5407.61.21 or 5407.61.91".

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20(a). TCR 27 for chapter 61 is modified to read as follows:

- "27. (A) A change to subheading 6107.21 from tariff item 6002.92.10, provided that the good, exclusive of collar, cuffs, waistband or elastic, is wholly of such fabric and the good is both cut and sewn or otherwise assembled in the territory of one or more of the NAFTA parties; or
- (B) A change to subheading 6107.21 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54, or headings 5508 through 5516 or 6001 through 6002, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of one or more of the NAFTA parties."

(b). TCR 30 for chapter 61 is modified to read as follows:

- "30. (A) A change to subheading 6108.21 from tariff item 6002.92.10, provided that the good, exclusive of waistband, elastic or lace, is wholly of such fabric and the good is both cut and sewn or otherwise assembled in the territory of one or more of the NAFTA parties; or
- (B) A change to subheading 6108.21 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54, or headings 5508 through 5516 or 6001 through 6002, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of one or more of the NAFTA parties."

(c). TCR 32 for chapter 61 is modified to read as follows:

- "32. (A) A change to subheading 6108.31 from tariff item 6002.92.10, provided that the good, exclusive of collar, cuffs, waistband, elastic or lace, is wholly of such fabric and the good is both cut and sewn or otherwise assembled in the territory of one or more of the NAFTA parties; or
- (B) A change to subheading 6108.31 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54, or headings 5508 through 5516 or 6001 through 6002, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of one or more of the NAFTA parties."

21. TCR 4 for chapter 68 is modified by deleting "other" and by inserting in lieu thereof "any".

22(a). The Heading rule for chapter 71 is deleted and the following new Heading rule is inserted in lieu thereof:

"Heading rule: Pearls, permanently strung but without the addition of clasps or other ornamental features of precious metals or stones, shall be treated as an originating good only if the pearls were obtained in the territory of one or more of the Parties."

(b). TCR 2 for chapter 71 is modified by adding after "group" the following expression:

" , except from tariff items 7101.10.30 or 7101.22.30".

23. TCR 7(D) for chapter 73 is modified by deleting the semicolon after the first appearance of "I-sections" and by inserting in lieu thereof a comma.

24. TCR 27 for chapter 73 is modified by deleting "other".

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25(a). The following new Subheading rule is inserted immediately before TCR 1 for chapter 83:

"Subheading rule: The underscoring of the designations in subdivision 1 pertains to goods provided for in subheading 8301.20 for use in a motor vehicle of chapter 87."

(b). The designations "1.", "(A)" and "(B)" in TCR 1 for chapter 83 are underscored, and the word "other" is inserted after "any" in subdivision (A).

26. Chapter rules 2 and 3 for chapter 84 are redesignated as chapter rules 3 and 4, respectively, and new chapter rule 2 is inserted in numerical sequence:

"Chapter rule 2: For purposes of subheading 8471.49, the origin of each unit presented within a system shall be determined in accordance with the rule that would be applicable to such unit if it were presented separately; and the special rate of duty applicable to each unit presented within a system shall be the rate that is applicable to such unit under the appropriate tariff item within subheading 8471.49.

For purposes of this rule, the term "unit presented within a system" shall mean:

- (a) a separate unit as described in note 5(B) to chapter 84 of the tariff schedule; or
- (b) any other separate machine that is presented and classified with a system under subheading 8471.49."

27. Chapter rule 3 for chapter 84 (as redesignated) is modified by deleting "8471.92" and by inserting in lieu thereof "8471.60".

28. TCR 11 for chapter 84 is modified by deleting "8406.19" and by inserting in lieu thereof "8406.82".

29. TCR 33(A) and (B) for chapter 84 are modified by deleting "8415.81" at each instance and by inserting in lieu thereof "8415.20", and subdivision (B) is modified by deleting the word "other".

30. TCR 103(A) and (B) for chapter 84 are modified by deleting "8443.50" at each instance and by inserting in lieu thereof "8443.59".

31. TCR 130 for chapter 84 is modified by deleting "8456.90" and by inserting in lieu thereof "8456.99".

32. TCR 187(A) and (B) for chapter 84 are modified by deleting "tariff item 8469.10.40" at each instance and by inserting in lieu thereof "subheading 8469.11".

33. TCR 188 for chapter 84 is deleted and the following new TCR 188 is inserted in lieu thereof:

"188. (A) A change to subheadings 8469.12 through 8469.30 from any other heading, except from heading 8473; or

(B) A change to subheadings 8469.12 through 8469.30 from heading 8473, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

- (1) 60 percent where the transaction value method is used, or
- (2) 50 percent where the net cost method is used."

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34. TCRs 191 through 204, inclusive, for chapter 84 are deleted; TCR 213 is deleted; TCRs 205 through 212, inclusive, are redesignated as TCRs 206 through 213, respectively; and the following new TCRs are inserted in numerical sequence:

"191. A change to subheadings 8471.30 through 8471.41 from any subheading outside that group, except from subheadings 8471.49 or 8471.50.

Subheading 8471.49 rule: The origin of each unit presented within a system shall be determined as though each unit were presented separately and were classified under the appropriate tariff provision for that unit.

192. A change to subheading 8471.50 from any other subheading, except from subheadings 8471.30 through 8471.49.

193. A change to tariff item 8471.60.35 from any other subheading, except from subheadings 8471.49 or 8540.40 or tariff item 8540.91.15.

194. A change to tariff items 8471.60.51 or 8471.60.61 from any other tariff item, except from subheading 8471.49 or tariff items 8473.30.10, 8473.30.30 or 8473.30.60.

195. A change to tariff item 8471.60.52 or 8471.60.62 from any other tariff item, except from subheading 8471.49 or tariff item 8473.30.10.

196. A change to tariff items 8471.60.53 or 8471.60.63 from any other tariff item, except from subheading 8471.49 or tariff items 8473.30.10, 8473.30.30 or 8473.30.60.

197. A change to tariff items 8471.60.54 or 8471.60.64 from any other tariff item, except from subheading 8471.49 or tariff items 8473.30.30 or 8473.30.60.

198. A change to tariff items 8471.60.55 or 8471.60.65 from any other tariff item, except from subheading 8471.49 or tariff items 8473.30.30 or 8473.30.60.

199. A change to tariff items 8471.60.56 or 8471.60.66 from any other tariff item, except from subheading 8471.49 or tariff items 8473.30.30 or 8473.30.60.

200. A change to subheading 8471.60 from any other subheading, except from subheading 8471.49.

201. A change to subheading 8471.70 from any other subheading, except from subheading 8471.49.

202. A change to tariff item 8471.80.10 from any other tariff item, except from subheading 8471.49.

203. A change to tariff item 8471.80.40 from any other tariff item, except from subheading 8471.49.

204. A change to any other tariff item within subheading 8471.80 from tariff items 8471.80.10 or 8471.80.40 or any other subheading, except from subheading 8471.49.

205. A change to subheading 8471.90 from any other subheading."

35. The following new TCR 208A for chapter 84 is inserted immediately after TCR 208 (as redesignated):

"208A. A change to subheading 8473.10 from any other heading."

36. The text for TCR 213 for chapter 84 is deleted.

37. The following new TCRs for chapter 84 are inserted immediately after TCR 215 for chapter 84:

"215A. A change to tariff item 8473.50.38 from any other tariff item.

215B. A change to tariff item 8473.50.60 from any other tariff item.

Subheading rule: Subdivision (B) of rule 215C does not apply to a part or accessory provided for in subheading 8473.50 if that part or accessory is used in the production of a good provided for in subheading 8469.11 or heading 8471.

215C. (A) A change to subheading 8473.50 from any other heading; or

(B) No required change in tariff classification to subheading 8473.50, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used."

38. TCR 218(A) and (B) for chapter 84 are modified by deleting "8475.20" at each instance and by inserting in lieu thereof "8475.29".

39. TCR 220(A) and (B) for chapter 84 are modified by deleting "8476.11" at each instance and by inserting in lieu thereof "8476.21", and by deleting "8476.19" at each instance and by inserting in lieu thereof "8476.89".

40. Chapter rule 5 for chapter 85 is modified by inserting in subdivision (a) immediately after "television picture tube" the expression "(including video monitor or video projector cathode-ray tube)", and by inserting in subdivision (b) immediately after "picture tube" the expression "(including video monitor or video projector cathode-ray tube)".

41. TCR 5 for chapter 85 is deleted and the following new TCR is inserted in lieu thereof:

"5. A change to tariff items 8504.40.60 or 8504.40.70 from any other tariff item, except from subheading 8471.49."

42. TCR 8 for chapter 85 is redesignated as TCR 8A, and the following new TCR 8 is inserted immediately after TCR 7 for such chapter:

"8. A change to tariff item 8504.90.70 from any other tariff item."

43. TCRs 11 through 14, inclusive, for chapter 85 are deleted and the following new TCRs are inserted in numerical sequence:

"11. (A) A change to subheadings 8506.10 through 8506.80 from any other heading, except from tariff items 8548.10.05 or 8548.10.15; or

(B) A change to subheadings 8506.10 through 8506.80 from subheading 8506.90, whether or not there is also a change from any other heading, except from tariff items 8548.10.05 or 8548.10.15, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

12. A change to subheading 8506.90 from any other heading, except tariff items 8548.10.05 or 8548.10.15.

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43. TCRs 11 through 14, inclusive, for chapter 85 are deleted and the following new TCRs are inserted in numerical sequence (continued):

13. (A) A change to subheadings 8507.10 through 8507.80 from any other heading, except from tariff items 8548.10.05 or 8548.10.15; or
- (B) A change to subheadings 8507.10 through 8507.80 from subheading 8507.90, whether or not there is also a change from any other heading, except from tariff items 8548.10.05 or 8548.10.15, provided there is a regional value content of not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.

14. A change to subheading 8507.90 from any other heading, except from tariff items 8548.10.05 or 8548.10.15."

44. TCR 15 for chapter 85 is modified by deleting from subdivision (A) the word "other" and by deleting from subdivision (B) the word "other" and by inserting after "subheading" and before the succeeding comma the expression "outside that group".

45. TCR 17 for chapter 85 is modified by deleting from subdivision (A) the word "other" and by deleting from subdivision (B) the word "other" and by inserting after "subheading" and before the succeeding comma the expression "outside that group".

46. TCR 20(A) and (B) for chapter 85 are modified by deleting "8510.20" at each instance and by inserting in lieu thereof "8510.30".

47. TCR 50 for chapter 85 is deleted and the following new TCRs are inserted in numerical sequence:

"50. A change to subheading 8517.11 from any other subheading, except from tariff items 8517.90.12, 8517.90.36, 8517.90.38 or 8517.90.44.

50A. A change to tariff item 8517.19.40 from any other subheading, provided that, with respect to printed circuit assemblies (PCAs) of tariff items 8473.30.10, 8517.90.12, 8517.90.16, 8517.90.24, 8517.90.26, 8517.90.32, 8517.90.36, 8517.90.38 or 8517.90.44:

(A) except as provided in subdivision (B) of this rule, for each multiple of nine PCAs, or any portion thereof, that is contained in the good, only one PCA may be a non-originating PCA, and

(B) if the good contains less than three PCAs, all of the PCAs must be originating PCAs.

50B. A change to subheading 8517.19 from any other subheading, except from tariff items 8517.90.12, 8517.90.36, 8517.90.38 or 8517.90.44."



48(a). TCR 51 for chapter 85 is modified by deleting "8517.20" and by inserting in lieu thereof "8517.22".

(b). TCRs 52 through 56, inclusive, for chapter 85 are deleted and the following new TCRs for chapter 85 are inserted in numerical sequence:

- "52. A change to subheading 8517.21 from any other subheading, except from tariff item 8517.90.04."
- 53. A change to tariff item 8517.30.10 from any other subheading.
- 54. A change to tariff item 8517.30.50 from any other subheading, provided that, with respect to printed circuit assemblies (PCAs) of tariff items 8473.30.10, 8517.90.16, 8517.90.24, 8517.90.26, 8517.90.32, 8517.90.36, 8517.90.38 or 8517.90.44:
  - (A) except as provided in subparagraph (B) of this rule, for each multiple of nine PCAs, or any portion thereof, that is contained in the good, only one PCA may be a non-originating PCA, and
  - (B) if the good contains less than three PCAs, all of the PCAs must be originating PCAs.
- 55. A change to subheading 8517.50 from any other subheading.
- 56. A change to tariff item 8517.80.10 from any other subheading, provided that, with respect to printed circuit assemblies (PCAs) of tariff items 8473.30.10, 8517.90.16, 8517.90.24, 8517.90.26, 8517.90.32, 8517.90.36, 8517.90.38 or 8517.90.44:
  - (A) except as provided in subparagraph (B), for each multiple of nine PCAs, or any portion thereof, that is contained in the good, only one PCA may be a non-originating PCA, and
  - (B) if the good contains less than three PCAs, all of the PCAs must be originating PCAs.
- 56A. A change to subheading 8517.80 from any other subheading."

49. The following new TCR 79A for chapter 85 is inserted immediately after TCR 79 for such chapter:

- "79A. A change to subheading 8525.40 from any other subheading, except from tariff items 8529.90.01, 8529.90.03, 8529.90.06, 8529.90.09, 8529.90.13, 8529.90.16, 8529.90.19 or 8529.90.23."

50. TCR 82 for chapter 85 is modified by deleting "8527.11" and by inserting in lieu thereof "8527.12".

51. TCRs 84 through 92, inclusive, for chapter 85 are deleted and the following new TCRs for such chapter are inserted in numerical sequence:

- "84. A change to tariff items 8528.12.12, 8528.12.16, 8528.12.20 or 8528.12.24 from any other heading, except from tariff items 8529.90.01, 8529.90.03, 8529.90.06, 8529.90.09, 8529.90.13, 8529.90.16, 8529.90.19, 8529.90.23, 8529.90.29, 8529.90.33, 8529.90.36, 8529.90.39, 8529.90.43, 8529.90.46 or 8529.90.49.
- 85. A change to tariff items 8528.12.28 or 8528.12.32 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff item 8540.11.10 or except from tariff items 7011.20.10 and 8540.91.15.

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51. TCRs 84 through 92, inclusive, for chapter 85 are deleted and the following new TCRs for such chapter are inserted in numerical sequence (continued):

Tariff item rule: Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 1999, the text of subdivision 85 shall be replaced by the following:

A change to tariff items 8528.12.28 or 8528.12.32 from any other heading, except from tariff items 8529.90.43, 8529.90.46, 8529.90.49 or 8540.11.10 or except from tariff items 7011.20.10 or 8540.91.15.

Tariff item rule: The following rule applies to a good of tariff items 8528.12.36 or 8528.12.40 incorporating a picture tube of tariff items 8540.12.10 or 8540.12.50 that incorporates a glass panel referred to in subparagraph (b) of note 5 to chapter 85 and a glass cone provided for in tariff item 7011.20.10.

86. A change to tariff items 8528.12.36 or 8528.12.40 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff items 8540.12.10, 8540.12.50 or 8540.12.99 or from tariff items 7011.20.10 or 8540.91.15.

Tariff item rule: The following rule applies to a good of tariff items 8528.12.36 or 8528.12.40 incorporating a picture tube of tariff items 8540.12.10 or 8540.12.50 that incorporates a glass envelope referred to in subparagraph (b) of note 5 of chapter 85.

87. A change to tariff items 8528.12.36 or 8528.12.40 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff items 8540.12.10, 8540.12.50 or 8540.91.15.

88. (A) A change to tariff items 8528.12.44 or 8528.12.48 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff items 8540.11.30, 8540.11.44, 8540.11.48 or 8540.91.15. In addition, no more than half the number of semiconductors of tariff items 8542.13.40, 8542.14.40 or 8542.19.40, used in the television receiver component, may be non-originating; or

(B) A change to tariff items 8528.12.44 or 8528.12.48 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff items 8540.11.30, 8540.11.44, 8540.11.48 or 8540.91.15. In addition, the regional value content must be not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

89. (A) A change to tariff items 8528.12.52 or 8528.12.56 or Mexican tariff item 8528.12.05 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff items 8540.12.20, 8540.12.70 or 8540.91.15. In addition, no more than half the number of semiconductors of tariff item 8542.13.40, 8542.14.40 or 8542.19.40, used in the television receiver component, may be non-originating; or

(B) A change to tariff items 8528.12.52 or 8528.12.56 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff items 8540.12.20, 8540.12.70 or 8540.91.15. In addition, the regional value content must be not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

90. A change to tariff items 8528.12.62, 8528.12.64, 8528.12.68 or 8528.12.72 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff item 8529.90.53.

91. A change to tariff items 8528.12.04 or 8528.12.08 from any other heading, except from tariff items 8529.90.43, 8529.90.46 or 8529.90.49.

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51. TCRs 84 through 92, inclusive, for chapter 85 are deleted and the following new TCRs for such chapter are inserted in numerical sequence (continued):

92. A change to subheading 8528.12 from tariff items 8528.12.04 or 8528.12.08 or any other heading, provided there is a regional value content of not less than:
- (A) 60 percent where the transaction value method is used, or
  - (B) 50 percent where the net cost method is used.
- 92A. A change to subheading 8528.13 from any other heading, provided that, with respect to printed circuit assemblies (PCAs) of tariff items 8529.90.01, 8529.90.03, 8529.90.06, 8529.90.09, 8529.90.13, 8529.90.16, 8529.90.19, 8529.90.23, 8529.90.29, 8529.90.33, 8529.90.36 or 8529.90.39
- (A) except as provided in subparagraph (b), for each multiple of nine PCAs, or any portion thereof, that is contained in the good, only one PCA may be a non-originating PCA, and
  - (B) if the good contains less than three PCAs, all of the PCAs must be originating PCAs.
- 92B. A change to tariff items 8528.21.16, 8528.21.19, 8528.21.24 or 8528.21.29 from any other heading, except from tariff items 8529.90.01, 8529.90.03, 8529.90.06, 8529.90.09, 8529.90.13, 8529.90.16, 8529.90.19, 8529.90.23, 8529.90.29, 8529.90.33, 8529.90.36, 8529.90.39, 8529.90.43, 8529.90.46 or 8529.90.49.
- 92C. A change to tariff items 8528.21.34 or 8528.21.39 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff item 8540.11.10 or from tariff items 7011.20.10 or 8540.91.15.

Tariff item rule: Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 1999, the text of subdivision 92C shall be replaced by the following:

A change to tariff items 8528.21.34 or 8528.21.39 from any other heading, except from tariff items 8529.90.43, 8529.90.46, 8529.90.49 or 8540.11.10 or from tariff items 7011.20.10 or 8540.91.15.

- 92D. A change to tariff items 8528.21.41 or 8528.21.42 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff items 8540.12.10 or 8540.12.50 or from tariff items 7011.20.10 or 8540.91.15.

Tariff item rule: The following rule applies to a good of tariff items 8528.21.41 or 8528.21.42 incorporating a picture tube of tariff items 8540.12.10 or 8540.12.50 that incorporates a glass envelope referred to in subparagraph (b) of note 5 to chapter 85.

- 92E. A change to tariff items 8528.21.41 or 8528.21.42 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff items 8540.12.10, 8540.12.50 or 8540.91.15.

- 92F. (A) A change to tariff items 8528.21.44 or 8528.21.49 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff items 8540.11.30, 8540.11.44, 8540.11.48 or 8540.91.15. In addition, no more than half the number of semiconductors of tariff items 8542.13.40, 8542.14.40 or 8542.19.40, used in the video monitor component, may be non-originating; or

- (B) A change to tariff items 8528.21.44 or 8528.21.49 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff items 8540.11.30, 8540.11.44, 8540.11.48 or 8540.91.15. In addition, the regional value content must be not less than:

- (1) 60 percent where the transaction value method is used, or
- (2) 50 percent where the net cost method is used.

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51. TCRs 84 through 92, inclusive, for chapter 85 are deleted and the following new TCRs for such chapter are inserted in numerical sequence (continued):

- 92G. (A) A change to tariff items 8528.21.51 or 8528.21.52 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff items 8540.12.20, 8540.12.70 or 8540.91.15. In addition, no more than half the number of semiconductors of tariff items 8542.13.40, 8542.14.40 or 8542.19.40, used in the video monitor component, may be non-originating; or
- (B) A change to tariff items 8528.21.51 or 8528.21.52 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff items 8540.12.20, 8540.12.70 or 8540.91.15. In addition, the regional value content must be not less than:
- (1) 60 percent where the transaction value method is used, or
- (2) 50 percent where the net cost method is used.
- 92H. A change to tariff items 8528.21.55, 8528.21.60, 8528.21.65 or 8528.21.70 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff item 8529.90.53.
- 92I. A change to tariff items 8528.21.05 or 8528.21.10 or from any other heading, except from tariff items 8529.90.43, 8529.90.46 or 8529.90.49.
- 92J. A change to subheading 8528.21 from tariff items 8528.21.05 or 8528.21.10 or any other heading, provided there is a regional value content of not less than:
- (A) 60 percent where the transaction value method is used, or
- (B) 50 percent where the net cost method is used.
- 92K. A change to subheading 8528.22 from any other heading, provided that, with respect to printed circuit assemblies (PCAs) of tariff items 8529.90.01, 8529.90.03, 8529.90.06, 8529.90.09, 8529.90.13, 8529.90.16, 8529.90.19, 8529.90.23, 8529.90.29, 8529.90.33, 8529.90.36 or 8529.90.39:
- (A) except as provided in subparagraph (b), for each multiple of nine PCAs, or any portion thereof, that is contained in the good, only one PCA may be a non-originating PCA, and
- (B) if the good contains less than three PCAs, all of the PCAs must be originating PCAs.
- Tariff item rule:** The following rule applies to a good of tariff items 8528.30.30 or 8528.30.40 incorporating a picture tube of tariff items 8540.12.10 or 8540.12.50 that incorporates a glass panel referred to in subparagraph (b) of note 5 to chapter 85 and a glass cone provided for in tariff item 7011.20.10.
- 92L. A change to tariff items 8528.30.30 or 8528.30.40 from tariff items 8528.30.10 or 8528.30.20 or any other heading, except from tariff items 8540.12.10 or 8540.12.50 or tariff items 7011.20.10 or 8540.91.15.
- Tariff item rule:** The following rule applies to a good of tariff items 8528.30.30 or 8528.30.40 incorporating a picture tube of tariff items 8540.12.10 or 8540.12.50 that incorporates a glass envelope referred to in subparagraph (b) of note 5 of chapter 85:
- 92M. A change to tariff items 8528.30.30 or 8528.30.40 from tariff items 8528.30.10 or 8528.30.20 or any other heading, except from tariff items 8540.12.10, 8540.12.50 or 8540.91.15.

51. TCRs 84 through 92, inclusive, for chapter 85 are deleted and the following new TCRs for such chapter are inserted in numerical sequence (continued):

- 92N. (A) A change to tariff items 8528.30.50 or 8528.30.60 from tariff items 8528.30.10 or 8528.30.20 or any other heading, except from tariff items 8540.12.20, 8540.12.70 or 8540.91.15. In addition, no more than half the number of semiconductors of tariff items 8542.13.40, 8542.14.40 or 8542.19.40, used in the video projector component, may be non-originating; or
- (B) A change to tariff items 8528.30.50 or 8528.30.60 from tariff items 8528.30.10 or 8528.30.20 or any other heading, except from tariff items 8540.12.20, 8540.12.70 or 8540.91.15. In addition, the regional value content must be not less than:
  - (1) 60 percent where the transaction value method is used, or
  - (2) 50 percent where the net cost method is used.
- 92O. A change to tariff items 8528.30.62, 8528.30.64, 8528.30.66 or 8528.30.68 from tariff items 8528.30.10 or 8528.30.20 or any other heading, except from tariff item 8529.90.53.
- 92P. A change to tariff items 8528.30.10 or 8528.30.20 from any other heading, except from tariff items 8529.90.43, 8529.90.46 or 8529.90.49.
- 92Q. A change to subheading 8528.30 from tariff items 8528.30.10 or 8528.30.20 or any other heading, provided there is a regional value content of not less than:
  - (A) 60 percent where the transaction value method is used, or
  - (B) 50 percent where the net cost method is used."

52. TCR 123(A) and (B) for chapter 85 are modified by deleting "8539.40" at each instance and by inserting in lieu thereof "8539.49".

53. TCRs 135 and 136 for chapter 85 are deleted and the following new TCRs are inserted in numerical sequence:

- "135. A change to subheadings 8540.40 through 8540.60 from any subheading outside that group, except from tariff item 8540.91.15.
- 136. A change to subheadings 8540.71 through 8540.79 from any subheading outside that group, except from tariff item 8540.99.40."

54. The subheading rule immediately preceding TCR 142 for chapter 85 is modified by deleting "8542.11 through 8542.80" and by inserting in lieu thereof "8542.12 through 8542.50".

55. TCR 143(A) and (B) for chapter 85 are modified by deleting at each instance "8543.10 through 8543.30" and by inserting in lieu thereof "8543.11 through 8543.81".

56. TCR 144(A) and (B) for chapter 85 are modified by deleting at each instance "8543.80.85" and by inserting in lieu thereof "8543.89.80".

57. TCR 145(A) and (B) for chapter 85 are modified by deleting at each instance "8543.80" and by inserting in lieu thereof "8543.89".

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58(a). TCR 149 for chapter 85 is modified by deleting "8548" and by inserting in lieu thereof "8547".

(b). The following new TCRs for chapter 85 are inserted in numerical sequence:

"150. A change to subheading 8540.10 from any other chapter.

151. A change to subheading 8548.90 from any other heading."

59. TCR 15 for chapter 90 is deleted and the following new TCR 15 is inserted in lieu thereof:

"15. (A) A change to subheading 9007.20 from any other heading; or

(B) A change to subheading 9007.20 from subheading 9007.92, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost is used."

60. TCR 25(A) and (B) for chapter 90 are modified by deleting at each instance "9010.30" and by inserting in lieu thereof "9010.60".

61. New TCR 41A for chapter 90 is inserted immediately after TCR 41 for such chapter:

"41A. A change to subheadings 9018.12 through 9018.14 from any other heading."

62. TCR 48 for chapter 90 is deleted and the following new TCR 48 is inserted in lieu thereof:

"48. A change to subheadings 9022.12 through 9022.14 from any subheading outside that group, except from tariff item 9022.90.05."

63. TCR 74 for chapter 90 is modified by deleting "9031.40.40" and by inserting in lieu thereof "9031.49.40"; TCRs 74 and 75 are redesignated as TCRs 75 and 75A, respectively; and the following new TCR 74 is inserted immediately before redesignated TCR 75:

"74. (A) A change to subheading 9031.41 from any other heading; or

(B) A change to subheading 9031.41 from subheading 9031.90, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost is used."

64. TCR 75A(A) and (B) for chapter 90 (as redesignated) are modified by deleting at each instance "9031.40" and by inserting in lieu thereof "9031.49".

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65. TCRs 12 and 13 for chapter 96 are deleted and the following new TCRs are inserted in numerical sequence:

"12. A change to tariff item 9614.20.10 from any other chapter.

13. A change to subheading 9614.20 from tariff item 9614.20.10 or any other subheading, except from subheading 9614.90."

Other modifications to the general notes to the HTS:

1. General note 18 is modified by inserting after the expression "MPa - megapascals" the following expression: "MW - megawatts".

## Annex II

MODIFICATIONS TO THE HARMONIZED TARIFF  
SCHEDULE OF THE UNITED STATES (HTS)

The HTS is modified as provided below, with bracketed matter included to assist in the understanding of the proclaimed modifications. The following supersedes matter now in the HTS. The subheadings and superior texts are set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", "Rates of Duty 1-General", "Rates of Duty 1-Special", and "Rates of Duty 2", respectively.

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the later of (1) January 1, 1996; or (2) the fifteenth day after the date of publication of this proclamation in the Federal Register, the HTS is modified as provided herein:

1(a). The superior text to subheading 0105.11.00 reading "Weighing not over 185 g each:" is modified to read "Weighing not more than 185 g:".

(b). Subheadings 0105.19.00 through 0105.91.00 are superseded by the following:

[Live....:]			
[Weighing....:]			
0105.12.00	Turkeys.....	1.6¢ each	Free (E,IL,J,MK) 4¢ each 0.4¢ each (CA)
0105.19.00	Other.....	1.6¢ each	Free (E,IL,J,MK) 4¢ each 0.4¢ each (CA)
[Other:]			
0105.92.00	Chickens, weighing not more than 2,000 g.....	3.6¢/kg	Free (E,IL,J,MK) 17.6¢/kg 0.8¢/kg (CA)
0105.93.00	Chickens, weighing more than 2,000 g.....	3.6¢/kg	Free (E,IL,J,MK) 17.6¢/kg 0.8¢/kg (CA)

2. Subheadings 0207.10 through 0207.50.00 are superseded by the following:

[Meat....:]			
"Of chickens:			
0207.11.00	Not cut in pieces, fresh or chilled.....	10.3¢/kg	Free (E,IL,J,MK) 22¢/kg 2.2¢/kg (CA)
0207.12.00	Not cut in pieces, frozen.....	10.3¢/kg	Free (E,IL,J,MK) 22¢/kg 2.2¢/kg (CA)
0207.13.00	Cuts and offal, fresh or chilled.....	20.5¢/kg	Free (E,IL,J,MK) 22¢/kg 4.4¢/kg (CA)
0207.14.00	Cuts and offal, frozen.....	20.5¢/kg	Free (E,IL,J,MK) 22¢/kg 4.4¢/kg (CA)
Of turkeys:			
0207.24.00	Not cut in pieces, fresh or chilled.....	17.5¢/kg	Free (E,IL,J,MK) 22¢/kg 3.7¢/kg (CA)
0207.25	Not cut in pieces, frozen:		
0207.25.20	Valued less than 88¢/kg.....	10.3¢/kg	Free (E,IL,J,MK) 22¢/kg 2.2¢/kg (CA)
0207.25.40	Valued 88¢ or more per kg.....	11.7%	Free (E,IL,J,MK) 25% 2.5% (CA)



## 2. (con.):

(Meat....) (con.)			
Of turkeys (con.):			
0207.26.00	Cuts and offal, fresh or chilled.....	20.5e/kg	Free (E,IL,J,NK) 22e/kg 4.4e/kg (CA)
0207.27.00	Cuts and offal, frozen.....	20.5e/kg	Free (E,IL,J,NK) 22e/kg 4.4e/kg (CA)
Of ducks, geese or guineas:			
0207.32.00	Not cut in pieces, fresh or chilled.....	10.3e/kg	Free (E,IL,J,NK) 22e/kg 2.2e/kg (CA)
0207.33.00	Not cut in pieces, frozen.....	10.3e/kg	Free (A,E,IL,J,NK) 22e/kg 2.2e/kg (CA)
0207.34.00	Fatty livers, fresh or chilled.....	20.5e/kg	Free (E,IL,J,NK) 22e/kg 4.4e/kg (CA)
0207.35.00	Other, fresh or chilled.....	20.5e/kg	Free (E,IL,J,NK) 22e/kg 4.4e/kg (CA)
0207.36.00	Other, frozen.....	20.5e/kg	Free (E,IL,J,NK) 22e/kg 4.4e/kg (CA)

## 3. The article description of heading 0209.00.00 is modified to read as follows:

"Pig fat, free of lean meat, and poultry fat, not rendered or otherwise extracted, fresh, chilled, frozen, salted, in brine, dried or smoked"

## 4. The article description of subheading 0301.91.00 is modified to read as follows:

"Trout (Salmo trutta, Oncorhynchus mykiss, Oncorhynchus clarki, Oncorhynchus nebulosus, Oncorhynchus alba, Oncorhynchus tshawytscha and Oncorhynchus chrysogaster)"

## 5. The article description of subheading 0302.11.00 is modified to read as follows:

"Trout (Salmo trutta, Oncorhynchus mykiss, Oncorhynchus clarki, Oncorhynchus nebulosus, Oncorhynchus alba, Oncorhynchus tshawytscha and Oncorhynchus chrysogaster)"

## 6. The article description of subheading 0302.12.00 is modified to read as follows:

"Pacific salmon (Oncorhynchus nerka, Oncorhynchus gorbuscha, Oncorhynchus keta, Oncorhynchus tshawytscha, Oncorhynchus kisutch, Oncorhynchus masou and Oncorhynchus rhodurus), Atlantic salmon (Salmo salar) and Danube salmon (Hucho hucho)"

## 7. The article description of subheading 0303.10.00 is modified to read as follows:

"Pacific salmon (Oncorhynchus nerka, Oncorhynchus gorbuscha, Oncorhynchus keta, Oncorhynchus tshawytscha, Oncorhynchus kisutch, Oncorhynchus masou and Oncorhynchus rhodurus), excluding livers and roes"

## 8. The article description of subheading 0303.21.00 is modified to read as follows:

"Trout (Salmo trutta, Oncorhynchus mykiss, Oncorhynchus clarki, Oncorhynchus nebulosus, Oncorhynchus alba, Oncorhynchus tshawytscha and Oncorhynchus chrysogaster)"

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9. The article description of subheading 0305.41.00 is modified to read as follows:

"Pacific salmon (*Oncorhynchus nerka*, *Oncorhynchus gorbuscha*, *Oncorhynchus keta*, *Oncorhynchus tshawytscha*, *Oncorhynchus kisutch*, *Oncorhynchus masou* and *Oncorhynchus rhodurus*), Atlantic salmon (*Salmo salar*) and Danube salmon (*Hucho hucho*)"

10. Notes 2 and 3 to chapter 4 are renumbered as 3 and 4, respectively, and the following new note 2 is inserted:

"2. For the purposes of heading 0405:

- (a) The term "butter" means natural butter, whey butter or recombined butter (fresh, salted or rancid, including canned butter) derived exclusively from milk, with a milkfat content of 80 percent or more but not more than 95 percent by weight, a maximum milk solids-not-fat content of 2 percent by weight and a maximum water content of 16 percent by weight. Butter does not contain added emulsifiers, but may contain sodium chloride, food colors, neutralizing salts and cultures of harmless lactic-acid-producing bacteria.
- (b) The expression "dairy spreads" means a spreadable emulsion of the water-in-oil type, containing milkfat as the only fat in the product, with a milkfat content of 39 percent or more but less than 80 percent by weight."

11. The following new subheading note 2 to chapter 4 is inserted:

"2. For the purposes of subheading 0405.10 the term "butter" does not include dehydrated butter or ghee (subheading 0405.90)."

12. Heading 0405.00 and subheadings 0405.00.05 through 0405.00.90, inclusive, are superseded by the following:

0405	Butter and other fats and oils derived from milk; dairy spreads:			
0405.10	Butter:			
0405.10.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	12.3¢/kg	Free (E,IL,J,NK) 2.4¢/kg (CA)	30.9¢/kg
0405.10.10	Described in additional U.S. note 6 to this chapter and entered pursuant to its provisions.....	12.3¢/kg	Free (E,IL,J) 2.4¢/kg (CA)	30.9¢/kg
0405.10.20	Other.....	\$1.722/kg	See 9906.06.75- 9906.06.77 (NK)	\$1.813/kg
0405.20	Dairy spreads:			
	Butter substitutes, whether in liquid or solid state:			
	Containing over 45 percent by weight of butterfat:			
0405.20.10	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	15.4¢/kg	Free (E,IL,J,NK) 3¢/kg (CA)	31¢/kg
0405.20.20	Described in additional U.S. note 14 to this chapter and entered pursuant to its provisions.....	15.4¢/kg	Free (E,IL,J) 3¢/kg (CA)	31¢/kg
0405.20.30	Other.....	\$2.231/kg	See 9906.06.40- 9906.06.42 (NK)	\$2.348/kg

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## 12. (con.):

0405 (con.) Butter and other fats and oils derived from milk; dairy spreads (con.):

0405.20 Dairy spreads (con.):  
(con.)

Butter substitutes, whether in liquid or solid state (con.):

0405.20.40	Other.....	14.64/kg	Free (E,IL,J) 34/kg (CA) 10.74/kg (MX)	314/kg
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Other:

Dairy products described in additional U.S. note 1 to chapter 4:

0405.20.50	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (E,IL,J,MX) 2% (CA)	20%
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0405.20.60	Described in additional U.S. note 10 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 2% (CA)	20%
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0405.20.70	Other.....	78.74/kg + 9.5%	See 9906.06.43- 9906.06.45 (MX)	82.84/kg + 10%
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0405.20.80	Other.....	8.6%	Free (A,E,IL,J, MX) 2% (CA)	20%
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0405.90 Other:

0405.90.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (E,IL,J,MX) 2% (CA)	20%
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0405.90.10	Described in additional U.S. note 14 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 2% (CA)	20%
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0405.90.20	Other.....	\$2.084/kg + 9.5%	See 9906.04.78- 9906.04.80 (MX)	\$2.194/kg + 10%
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## Conforming changes:

(a). Additional U.S. note 6 to chapter 4 is modified by deleting "0405.00.20" and by inserting in lieu thereof "0405.10.10".

(b). Additional U.S. note 10 to chapter 4 is modified by inserting "0405.20.60," immediately after "0404.90.30,".

(c). Additional U.S. note 14 to chapter 4 is modified by deleting "0405.00.60" and by inserting in lieu thereof "0405.20.20, 0405.90.10".

(d)(1). The superior text to subheadings 9904.04.09 through 9904.04.21 beginning with the word "Butter," is modified by deleting "0405.00.40" and inserting in lieu thereof "0405.10.20".

(2). Subheading 9904.04.21 is modified by deleting "0405.00.40" and inserting in lieu thereof "0405.10.20".

(e). The superior text to subheadings 9904.04.50 through 9904.05.01 beginning with the word "Dairy" is modified by inserting "0405.20.70," immediately after "0404.90.50,".

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12. (con.)

Conforming changes (con.):

- (f). The immediately superior text to subheadings 9904.04.59 through 9904.04.66 is modified by inserting "0405.20.70," immediately after "0404.10.15,".
- (g). Subheading 9904.04.99 is modified by deleting "subheading 2106.90.66" and inserting in lieu thereof "subheadings 0405.20.70 or 2106.90.66".
- (h)(1). The superior text to subheadings 9904.05.37 through 9904.05.47 beginning with the word "Butter" is modified by deleting "0405.00.90," and inserting in lieu thereof "0405.20.30, 0405.90.20,".
- (2). Subheading 9904.05.46 is modified by deleting "0405.00.90" and inserting in lieu thereof "0405.90.20".
- (3). Subheading 9904.05.47 is modified by inserting "0405.20.30," immediately before "2106.90.26".
- (i). Subheading 9905.21.10 is modified by inserting "0405.20.80," immediately before "2106.90.82".
- (j). The superior text to subheadings 9906.04.75 through 9906.04.77 that begins with the word "Butter" is modified by inserting "; dairy spreads" immediately after "milk", and the immediately superior text to subheading 9906.04.75 is modified by deleting "0405.00.40" and inserting in lieu thereof "0405.10.20".
- (k). The immediately superior text to subheadings 9906.04.78 through 9906.04.80 is modified by deleting "0405.00.90" and inserting in lieu thereof "0405.90.20".
- (l). U.S. note 5 to subchapter VI of chapter 99 is modified by inserting "9906.06.40" immediately after "9906.04.78".
- (m). U.S. note 7 to subchapter VI of chapter 99 is modified by inserting "9906.06.43," immediately before "9906.15.01,".
- (n). Subchapter VI of chapter 99 is modified by inserting the following provisions immediately after subheading 9906.06.39:

[Goods of Mexico,...:]		
"Butter and other fats and oils derived from milk; dairy spreads:		
Provided for in subheading 0405.20.30:		
9906.06.40	Subject to the quantitative limits specified in U.S. note 5 to this subchapter.....	Free (HK)
Other:		
9906.06.41	Valued not over \$1.57/kg.....	\$1.054/kg (HK)
9906.06.42	Other.....	67% (HK)
Provided for in subheading 0405.20.70:		
9906.06.43	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....	Free (HK)
Other:		
9906.06.44	Valued not over 74.86/kg.....	49.26/kg (HK)
9906.06.45	Other.....	65.7% (HK)"

13. The article description of heading 0504.00.00 is modified to read as follows:

"Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof, fresh, chilled, frozen, salted, in brine, dried or smoked"

14. Subheadings 0602.91.00 through 0602.99.90 and the immediately preceding superior text "Other:" are superseded by the following:

[Other....]			
"0602.90	Other:		
	Herbaceous perennials:		
0602.90.20	Orchid plants.....	Free	25%
	Other:		
0602.90.30	With soil attached to roots....	1.4%	Free (A,E,IL,J, NK) 0.4% (CA)
0602.90.40	Other.....	4.8%	Free (A,E,IL,J, NK) 1.1% (CA)
	Other:		
0602.90.50	Mushroom spawn.....	1.9e/kg	Free (CA,E,IL,J, NK)
	Other:		
0602.90.60	With soil attached to roots....	1.9%	Free (A,E,IL,J, NK) 0.6% (CA)
0602.90.90	Other.....	6.6%	Free (A,E,IL,J, NK) 1.5% (CA)

15. Subdivisions (c) and (d) of note 3 to chapter 7 are modified to read as follows:

"(c) flour, meal, powder, flakes, granules and pellets of potatoes (heading 1105);

(d) flour, meal and powder of the dried leguminous vegetables of heading 0713 (heading 1106)."

16(a). Subheading 0712.10.00 is deleted.

(b). The following new subheading 0712.90.30 is inserted in numerical order:

[Dried....]			
[Other....]			
"0712.90.30	Potatoes whether or not cut or sliced but not further prepared.....	2.7e/kg	Free (A,CA,E,IL, J) 1.1e/kg (NK)

17(a). The article description of heading 0714 is modified to read as follows:

"Cassava (manioc), arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith:"

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(b). Subheadings 0714.10.00 and 0714.20.00 are superseded by the following:

[Cassava....:]			
"Cassava (manioc):			
*0714.10			
0714.10.10	Frozen.....	7.9%	Free (A,E,IL,J, 35% HK) 3.5% (CA)
0714.10.20	Other.....	11.3%	Free (A*,E,IL,J, 50% HK) 5% (CA)
Sweet potatoes:			
0714.20			
0714.20.10	Frozen.....	6.7%	Free (A,E,IL,J, 35% HK) 1.4% (CA)
0714.20.20	Other.....	8.2%	Free (A*,E,IL,J, 50% HK) 2% (CA)

Conforming changes: The immediately superior text to subheading 0714.90.10 reading "Fresh:" is modified to read "Fresh or chilled:" and general note 4(d) is modified by deleting "0714.10.00 Costa Rica" and "0714.20.00 Dominican Republic" and by inserting in numerical sequence "0714.10.20 Costa Rica" and "0714.20.20 Dominican Republic".

(c). The following new subheading 0714.90.45 is inserted in numerical sequence:

[Cassava....:]			
[Other:]			
*0714.90.45	Frozen.....	6.7%	Free (A,E,IL,J, 35% HK) 1.4% (CA)

18. Subheadings 0801.10.00 through 0801.30.00 are superseded by the following:

[Coconuts,...:]			
"Coconuts:			
0801.11.00	Desiccated.....	Free	7.7¢/kg
0801.19.00	Other.....	Free	7.7¢/kg
Brazil nuts:			
0801.21.00	In shell.....	Free	9.9¢/kg
0801.22.00	Shelled.....	Free	9.9¢/kg
Cashew nuts:			
0801.31.00	In shell.....	Free	4.4¢/kg
0801.32.00	Shelled.....	Free	4.4¢/kg

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19. Subheadings 0807.10 through 0807.10.80, inclusive, are superseded by the following:

[Melons....]			
*Melons (including watermelons):			
Watermelons:			
0807.11			
0807.11.30	If entered during the period from December 1, in any year, to the following March 31, inclusive.....	16.3%	Free (A,E,IL,J, HK) 4% (CA)
0807.11.40	If entered at any other time.....	19%	Free (E,IL,J) 4% (CA) See 9906.08.09- 9906.08.11 (HK)
0807.19	Other:		
Cantaloupes:			
0807.19.10	If entered during the period from August 1 to September 15, inclusive, in any year.....	17.6%	Free (E,IL,J) 4% (CA) 14% (HK)
0807.19.20	If entered at any other time...	33.3%	Free (A,E,IL,J) 7% (CA) See 9906.08.07- 9906.08.08 (HK)
Open and Galia melons:			
0807.19.50	If entered during the period from December 1, in any year, to the following May 31, inclusive.....	2.9%	Free (A,CA,E,IL, J,HK)
0807.19.60	If entered at any other time...	11.4%	Free (A,E,IL,J, HK) 2.8% (CA)
Other:			
0807.19.70	If entered during the period from December 1, in any year, to the following May 31, inclusive.....	7.5%	Free (A,CA,E,IL, J) See 9906.08.12- 9906.08.13 (HK)
0807.19.80	If entered at any other time...	32.7%	Free (E,IL,J) 7% (CA) 28% (HK)

20. The following new subheading 0810.50.00 is inserted in numerical order:

[Other....]			
*0810.50.00	Kiwi fruit..... Free		2.8e/kg*

Conforming changes: Subheading 0810.90.20 is redesignated as 0810.90.25, and the article description of that subheading is modified to read as follows: "Berries and tamarinda".

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21. Subheadings 0901.30.00 and 0901.40.00 are superseded by the following:

[Coffee,....:]			
Other:			
0901.90	Coffee husks and skins.....	Free	10%
0901.90.10			
0901.90.20	Coffee substitutes containing coffee.....	2.7¢/kg	Free (CA,E,IL,J, 6.6¢/kg NK)

22. Subdivision (A) of note 2 to chapter 11 is modified by adding after the last sentence the following new sentence:

"However, germ of cereals, whole, rolled, flaked or ground is always classified in heading 1104."

23. The article description of heading 1105 is modified to read as follows:

"Flour, meal, powder, flakes, granules and pellets of potatoes:"

24. The article description of subheading 1105.10.00 is modified to read as follows:

"Flour, meal and powder"

25. The article description of heading 1106 is modified to read as follows:

"Flour, meal and powder of the dried leguminous vegetables of heading 0713, of sago or of roots or tubers of heading 0714 or of the products of chapter 8:"

26. The article description of subheading 1106.10.00 is modified to read as follows:

"Of the dried leguminous vegetables of heading 0713"

27. The article description of subheading 1106.20.00 is modified to read as follows:

"Of sago or of roots or tubers of heading 0714"

28. The article description of subheading 1106.30 is modified to read as follows:

"Of the products of chapter 8:"

29. The article description of heading 1212 is modified by deleting the expression "fresh or dried," and inserting the expression "fresh, chilled, frozen or dried," in lieu thereof.

30. Subdivision (d) of note 1 to chapter 13 is modified to read as follows:

"(d) Vegetable saps or extracts constituting alcoholic beverages (chapter 22);"

31. Subdivision (h) of note 1 to chapter 13 is modified to read as follows:

"(h) Essential oils, concretes, absolutes, resinoids, extracted oleoresins, aqueous distillates or aqueous solutions of essential oils or preparations based on odoriferous substances of a kind used for the manufacture of beverages (chapter 33); or"



32. The article description of heading 1301 is modified to read as follows:

"Lac; natural gums, resins, gum-resins and oleoresins (for example, balsams):"

33. Subheading 1402.91.00, the superior text thereto, and subheading 1402.99.00 are superseded by the following:

[Vegetable....:]			
	Other:		
"1402.90			
1402.90.10	Vegetable hair.....	0.5¢/kg	Free (CA,E,IL,J, 2.2¢/kg MX)
1402.90.90	Other.....	Free	20%*

34. Subdivision (e) of note 1 to chapter 15 is modified by deleting the expression "in an isolated state".

35. The article description of heading 1501.00.00 is modified to read as follows:

"Pig fat (including lard) and poultry fat, other than that of heading 0209 or 1503"

36. The article description of heading 1502.00.00 is modified to read as follows:

"Fats of bovine animals, sheep or goats, other than those of heading 1503"

37. Heading 1519 and subheadings 1519.11.00 through 1519.20.60 are deleted.

Conforming change: General note 4(d) is modified by deleting "1519.11.00 Malaysia" and "1519.12.00 Malaysia", and by inserting in numerical sequence "3823.11.00 India; Malaysia" and "3823.12.00 India; Malaysia" in lieu thereof.

38. Heading 1520 and subheadings 1520.10.00 and 1520.90.00 are superseded by the following:

"1520.00.00	Glycerol, crude; glycerol waters and glycerol		
	lyes.....	Free	2.2¢/kg*

39. Note 1 to chapter 16 is modified by inserting the expression "or heading 0504" after the expression "chapter 2 or 3".

40. The following new subheading is inserted in numerical order:

[Other....:]			
	[Of....:]		
"1602.32.00	Of chickens.....	8.8%	Free (A,E,IL,J, 20%* MX) 2% (CA)

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41. Subheading 1702.10.00 is superseded by the following:

[Other....:]			
"Lactose and lactose syrup:			
1702.11.00	Containing by weight 99 percent or more lactose, expressed as anhydrous lactose, calculated on the dry matter....	8.8%	Free (E,IL,J,MK) 50% 2% (CA)
1702.19.00	Other.....	8.8%	Free (E,IL,J,MK) 50% 2% (CA)

42(a). Subheading 1704.90.20 is superseded by the following:

[Sugar....:]			
[Other::]			
[Confections....:]			
"Other:			
1704.90.25	Cough drops.....	Free	30%
1704.90.35	Other.....	6.5%	Free (E,IL,J, 40% MK) 1.4% (CA)

(b). The following new additional U.S. note 11 is inserted in chapter 17:

"11. For the purposes of subheading 1704.90.25, "cough drops" must contain a minimum of 5 mg per dose of menthol, of eucalyptol, or of a combination of menthol and eucalyptol."

43. Note 3 to chapter 19 is modified to read as follows:

"3. Heading 1904 does not cover preparations containing more than 6 percent by weight of cocoa calculated on a totally defatted basis or coated with chocolate or other food preparations containing cocoa of heading 1806 (Heading 1806)."

44. The article description of heading 1901 is modified to read as follows:

"Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa or containing less than 40 percent by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 percent by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:"

45. The article description of heading 1904 is modified by deleting the language following the semicolon and inserting the following in lieu thereof:

"cereals (other than corn (maize)) in grain form or in the form of flakes or other worked grains (except flour and meal), pre-cooked or otherwise prepared, not elsewhere specified or included:"

46. The following new subheadings 1904.20, 1904.20.10 and 1904.20.90 are inserted in numerical order:

[Prepared....:]			
*1904.20	Prepared foods obtained from unroasted cereal flakes or from mixtures of unroasted cereal flakes and roasted cereal flakes or swelled cereals:		
1904.20.10	In airtight containers and not containing apricots, citrus fruits, peaches or pears.....	6.5%	Free (E,IL,J) 1.4% (CA) 4.9% (HK)
1904.20.90	Other.....	16.6%	Free (E,IL,J) 3.5% (CA) 7% (HK)

47. The article description of heading 2004 is modified to read as follows:

"Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006:"

48(a). The article description of heading 2005 is modified to read as follows:

"Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006:"

(b). Subheading 2005.30.00 is deleted.

(c). The following new subheading 2005.90.30 is inserted in numerical order:

[Other....:]			
[Other....:]			
*2005.90.30	Sauerkraut.....	6.6%	Free (E,IL,J) 1.5% (CA) 3% (HK)

49. The article description of heading 2006.00 is modified to read as follows:

"Vegetables, fruit, nuts, fruit-peel and other parts of plants preserved by sugar (drained, glacé, or crystallized):"

50. Subdivision (f) of note 1 to chapter 21 is deleted, and subdivisions (g) and (h) are redesignated as (f) and (g), respectively.

51(a). The numerical subheading code "2101.10" is deleted; the article description is modified to read as follows:

"Extracts, essences and concentrates of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee".

(b). The superior text reading "Extracts, essences and concentrates:" is designated as subheading 2101.11, and subheadings 2101.10.21 and 2101.10.29 are redesignated as 2101.11.21 and 2101.11.29, respectively.

(c). The superior text reading "Other:" is designated as subheading 2101.12 and is modified to read as follows:

"Preparations with a basis of extracts, essences or concentrates or with a basis of coffee:"

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(d). Subheadings 2101.10.32, 2101.10.34, 2101.10.38, 2101.10.44, 2101.10.48, 2101.10.54, 2101.10.58, and 2101.10.90 are redesignated as 2101.12.32, 2101.12.34, 2101.12.38, 2101.12.44, 2101.12.48, 2101.12.54, 2101.12.58, and 2101.12.90, respectively; additional U.S. note 7 to chapter 17 is modified by deleting "2101.10.44" and inserting in lieu thereof "2101.12.44"; additional U.S. note 8 to chapter 17 is modified by deleting "2101.10.54" and inserting in lieu thereof "2101.12.54"; and additional U.S. note 9 to chapter 17 is modified by deleting "2101.10.34" and inserting in lieu thereof "2101.12.34".

## 52. The following new subheadings are inserted in numerical order:

[Food...]

[Other:]

"Compound alcoholic preparations of an alcoholic strength by volume exceeding 0.5 percent vol., of a kind used for the manufacture of beverages:

2106.90.12	Containing not over 20 percent of alcohol by weight.....	5.8¢/kg + 2.6%	Free (A,CA,E,IL, J,NK)	44¢/kg + 25%
2106.90.15	Containing over 20 percent but not over 50 percent of alcohol by weight.....	11.6¢/kg + 2.6%	Free (A,CA,E,IL, J,NK)	88¢/kg + 25%
2106.90.18	Containing over 50 percent of alcohol by weight.....	23.3¢/kg + 2.6%	Free (A,CA,E,IL, J,NK)	\$1.76/kg + 25%

## 53. The article description of heading 2206.00 is modified by inserting a comma after the expression "non-alcoholic beverages".

## 54(a). The article description of heading 2208 is modified to read as follows:

"Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 percent vol; spirits, liqueurs and other spirituous beverages:"

## (b). Subheadings 2208.10 through 2208.10.90 are deleted.

## (c). The following new subheadings are inserted in numerical order:

[Undenatured....]

\*2208.60

Vodka:

In containers each holding not over 4 liters:

2208.60.10	Valued not over \$2.05/liter.....	59.5¢/pf. liter	Free (A,CA,E,IL, J,NK)	\$1.78/pf. liter
2208.60.20	Valued over \$2.05/liter.....	11.6¢/pf. liter	Free (A,CA,E,IL, J,NK)	\$1.78/pf. liter
2208.60.50	In containers each holding over 4 liters.....	29¢/pf. liter	Free (A*,CA,E, IL,J,NK)	\$1.32/pf. liter
2208.70.00	Liqueurs and cordials.....	11.6¢/pf. liter	Free (A,CA,E,IL, J,NK)	\$3.08/pf. liter"

Conforming change: General note 4(d) is modified by deleting "2208.90.70 Russia" and by inserting in numerical sequence "2208.60.50 Russia".

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(d). Subheading 2208.90.45 is redesignated as 2208.90.46, and the text of that subheading is modified to read "Kirschwasser and ratafia".

(e). Subheadings 2208.90.60 through 2208.90.70, inclusive, and the immediately preceding superior text "Vodka:" and "In containers each holding not over 4 liters:" are deleted.

55. The following new subheading is inserted in numerical order:

	[Of cake...:]			
"2306.70.00	Of corn (maize) germ.....	0.57¢/kg	Free (A,CA,E, IL,J,NK)	0.7¢/kg"

56. Subheading 2401.20.20 is superseded by the following:

	[Unmanufactured...:]			
	[Tobacco,...:]			
	[Not...:]			
	[Other:]			
	"Containing over 35 percent wrapper tobacco:			
2401.20.14	Wrapper tobacco.....	Free		\$6.45/kg
2401.20.18	Other.....	Free		\$6.45/kg"

57. Subdivision (g) of note 2 to chapter 25 is modified by deleting the expression "heading 3823" and inserting the expression "heading 3824" in lieu thereof.

58. Subheadings 2503, 2503.10.00 and 2503.90.00 are superseded by the following:

"2503.00.00	Sulfur of all kinds, other than sublimed sulfur, precipitated sulfur and colloidal sulfur.....	Free		Free"
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59. Subheadings 2513.21.00 and 2513.29.00 and the immediately preceding superior text "Emery, natural corundum, natural garnet and other natural abrasives:" are superseded by the following:

	[Pumice;...:]			
"2513.20	Emery, natural corundum, natural garnet and other natural abrasives:			
2513.20.10	Crude or in irregular pieces.....	Free		Free
2513.20.90	Other.....	0.44¢/kg	Free (A,CA,E, IL,J,NK)	2.2¢/kg"

60. Subheading 2530.30.00 is deleted, the rate of duty in rate column numbered 2 of subheading 2530.90.00 is deleted, and the rate of duty of "0.3¢/kg" is inserted in lieu thereof.

61. Subdivision (e) of note 1 to chapter 26 is modified to read as follows:

"(e) Waste or scrap of precious metal or of metal clad with precious metal; other waste or scrap containing precious metal or precious metal compounds, of a kind used principally for the recovery of precious metal (heading 7112); or"

Conforming change: Subheadings 2620.90.70, 2620.90.80 and 2620.90.90 are redesignated as 2620.90.60, 2620.90.75 and 2620.90.85, respectively.

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62. The article description of heading 2602.00.00 is modified by deleting the expression "manganiferous iron ores" and inserting the expression "ferruginous manganese ores" in lieu thereof.

63. The following new additional U.S. note 8 is inserted in numerical sequence in the additional U.S. notes to chapter 27:

"8. Subheading 2712.10.00 does not include petroleum jelly, suitable for use for the care of the skin, put up in packings of a kind sold at retail for such use (subheading 3304.99.10)."

64. Subheading 2707.60.00 is superseded by the following:

[Oils....]			
Phenols:			
2707.60	Metacresol, orthocresol, paracresol		
2707.60.10	and metaparcresol, all the foregoing		
	having a purity of 75 percent or more		
	by weight.....	16/kg +	Free (A,CA,E,
		3.4%	IL,J,MK)
			15.46/kg +
			42.5%
2707.60.20	Other.....	2.96/kg +	Free (A,CA,E,
		12.5%	IL,J,MK)
			7.76/kg +
			29.5%

Conforming change: Subheading 2707.99.30 is deleted.

65. Subdivision (d) of note 1 to chapter 28 is modified by inserting the expression "(including an anticaking agent)" after the word "stabilizer".

66. Subdivision (e) of note 3 to chapter 28 is modified by deleting the expression "heading 3823" at each instance, and inserting the expression "heading 3824" in lieu thereof.

67. Subdivision (g) of note 3 to chapter 28 is modified to read as follows:

"(g) The metals, whether or not pure, metal alloys or cermets, including sintered metal carbides (metal carbides sintered with a metal), of section XV; or"

68(a). Subheading 2827.37.00 is deleted.

(b). The following new subheading 2827.39.25 is inserted in numerical order:

[Chlorides,....]			
[Other....]			
[Other:]			
2827.39.25	Of tin.....	4.2%	Free (A*,CA,E,
			IL,J,MK)
			25%

Conforming change: General note 4(d) to the tariff schedule is modified by deleting "2827.37.00 India" and by inserting in numerical sequence "2827.39.25 India" in lieu thereof.

69(a). Subheading 2835.21.00 is deleted.

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(b). The following new subheading 2835.29.20 is inserted in numerical order:

[Phosphinates....]		
[Phosphates:]		
[Other:]		
"2835.29.20	Of triammonium..... 1.5%	Free (A*,E,IL,J, 8.5% MX) 0.3% (CA)

Conforming change: General note 4(d) to the tariff schedule is modified by deleting "2835.21.00 India" and by inserting in numerical sequence "2835.29.20 India".

70(a). Subheading 2836.93.00 is deleted.

(b). The following new subheading 2836.99.20 is inserted in numerical order:

[Carbonates;...]		
[Other:]		
[Other:]		
"2836.99.20	Bismuth carbonate..... 6.4%	Free (A*,CA,E, 35% IL,J,MX)

Conforming change: General note 4(d) to the tariff schedule is modified by deleting "2836.93.00 India" and by inserting in numerical sequence "2836.99.20 India".

71. Subheading 2841.60.00 is superseded by the following:

[Salts....]		
Manganites, manganates and permanganates:		
2841.61.00	Potassium permanganate..... 5%	Free (A*,CA,E,IL, 23% J,MX)
2841.69.00	Other..... 5%	Free (A*,CA,E,IL, 23% J,MX)

Conforming change: General note 4(d) to the tariff schedule is modified by deleting "2841.60.00 India" and by inserting in numerical sequence "2841.61.00 India" and "2841.69.00 India".

72. Heading 2848 and subheadings 2848.10.00 and 2848.90.00 are superseded by the following:

"2848.00	Phosphides, whether or not chemically defined, excluding ferrophosphorus:	
2848.00.10	Of copper (phosphor copper), containing more than 15 percent by weight of phosphorus..... 2.6%	Free (A*,CA,E, 32.5% IL,J,MX)
2848.00.90	Of other metals or of nonmetals..... Free	25%

Conforming change: General note 4(d) to the tariff schedule is modified by deleting "2848.10.00 India" and by inserting in numerical sequence "2848.00.10 India".

73. Subdivision (f) of note 1 to chapter 29 is modified by inserting the expression "(including an anticaking agent)" after the word "stabilizer".

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74(a). Subdivision (a) of note 2 to chapter 29 is modified to read as follows:

"(a) Goods of heading 1504 or crude glycerol of heading 1520;"

(b). Subparagraph (ij) of note 2 to chapter 29 is modified by deleting the expression "heading 3823" and inserting the expression "heading 3824" in lieu thereof.

75. Subdivision (b) of note 5 to chapter 29 is modified by deleting the expression "or glycerol", and subdivision (d) of such note 5 is modified by deleting the expression "and glycerol".

76. Subheadings 2903.40, 2903.40.10 and 2903.40.40 are superseded by the following:

[Halogenated....:]			
"Halogenated derivatives of acyclic hydrocarbons containing two or more different halogens:			
2903.41.00	Trichlorofluoromethane.....	3.7%	Free (A*,CA,E,IL, J,MX) 25%
2903.42.00	Dichlorodifluoromethane.....	3.7%	Free (A*,CA,E,IL, J,MX) 25%
2903.43.00	Trichlorotrifluoroethanes.....	3.7%	Free (A*,CA,E,IL, J,MX) 25%
2903.44.00	Dichlorotetrafluoroethanes and chloropentafluoroethanes.....	3.7%	Free (A*,CA,E,IL, J,K,MX) 25%
2903.45.00	Other derivatives perhalogenated only with fluorine and chlorine.....	3.7%	Free (A*,CA,E,IL, J,K,MX) 25%
2903.46.00	Bromochlorodifluoromethane, bromotrifluoromethane and dibromotetrafluoroethanes.....	3.7%	Free (A*,CA,E,IL, J,K,MX) 25%
2903.47.00	Other perhalogenated derivatives.....	3.7%	Free (A*,CA,E,IL, J,MX) 25%
2903.49	Other:		
2903.49.10	Bromochloromethane.....	Free	25%
2903.49.90	Other.....	3.7%	Free (A*,CA,E,IL, J,K,MX) 25%

Conforming changes: General note 4(d) is modified by deleting "2903.40.40 India" and by inserting in lieu thereof the following: "2903.41.00 India", "2903.42.00 India", "2903.43.00 India", "2903.44.00 India", "2903.45.00 India", "2903.46.00 India", "2903.47.00 India", and "2903.49.90 India".

77(a). Subheading 2905.21.00 is deleted.



77. (con.)

(b). Subheading 2905.29.00 is superseded by the following:

[Acyclic....]				
[Unsaturated....]				
"2905.29	Other:			
2905.29.10	Allyl alcohol.....	6.7%	Free (A <sup>0</sup> ,CA,E, 1L,J,NK)	45%
2905.29.90	Other.....	3.7%	Free (A <sup>0</sup> ,CA,E, 1L,J,K,NK)	25%

Conforming changes: General note 4(d) is modified by deleting "2905.21.00 India" and "2905.29.00 India" and by inserting in numerical sequence "2905.29.10 India" and "2905.29.90 India".

78. The following new subheading is inserted in numerical order:

[Acyclic....]				
[Other....]				
"2905.45.00	Glycerol.....	0.5¢/kg	Free (A*,CA,E, IL,J,NK)	4.4¢/kg*

Conforming change: General note 4(d) is modified by inserting in numerical sequence "2905.45.00 India".

79. Subheadings 2914.30, 2914.30.10, and 2914.30.50 are superseded by the following:

[Ketones....]				
*Aromatic ketones without other oxygen function:				
2914.31.00	Phenylacetone (Phenylpropan-2-one).....	10.6%	Free (A <sup>0</sup> ,CA,E, IL,J,NK)	15.4¢/kg + 58%
2914.39	Other:			
2914.39.10	7-Acetyl-1,1,3,4,4,6-hexamethyl- tetrahydronaphthalene; 1-(2-Naphthelonyl)ethanone; and 6-Acetyl-1,1,2,3,3,5-hexamethyl- indan.....	Free		15.4¢/kg + 58%
2914.39.90	Other.....	10.6%	Free (A <sup>0</sup> ,CA,E,IL, J,K,NK)	15.4¢/kg + 58%

Conforming changes: General note 4(d) is modified by deleting "2914.30.50 India" and by inserting in numerical sequence "2914.31.00 India" and "2914.39.90 India".

80. Subheading 2914.41.00 (and the superior text thereto) and subheadings 2914.49 through 2914.49.90 are superseded by the following:

[Ketones....]				
"2914.40	Ketone-alcohols and ketone-aldehydes:			
2914.40.10	4-Hydroxy-4-methylpentan-2-one (Diacetone alcohol).....	4%	Free (A*,CA,E, IL,J,NK)	25%

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80. (con.):

[Ketones....] [con.]			
Ketone-alcohols and ketone-aldehydes (con.):			
2914.40 (con.)	Other:		
	Aromatic:		
2914.40.20	1,2,3-Indantrione monohydrate (Ninhydrin).....	9.9%	Free (A*,CA,E, IL,J) 7.7% (NK) 15.44/kg + 42%
2914.40.40	Other.....	9.9%	Free (CA,E,IL,J, K) 7.7% (NK) 15.44/kg + 42%
2914.40.60	Other:		
	1,3-Dihydroxyacetone.....	Free	20%
2914.40.90	Other.....	4.8%	Free (A*,CA,E,IL, 200" J,K,NK)

Conforming change: General note 4(d) is modified by deleting "2914.41.00 India", "2914.49.20 India", and "2914.49.90 India" and by inserting in numerical sequence "2914.40.10 India", "2914.40.20 India", and "2914.40.90 India".

81. Subheadings 2916.33 through 2916.33.50 are superseded by the following:

[Unsaturated....]			
[Aromatic....]			
2916.34 2916.34.10	Phenylacetic acid and its salts: Phenylacetic acid ( $\alpha$ -Toluic acid).....	6.6%	Free (CA,E,IL, J,NK) 15.44/kg + 40.5%
2916.34.15	Other:		
	Odoriferous or flavoring compounds.....	10.8%	Free (A*,CA,E, IL,J,NK) 15.44/kg + 58%
2916.34.25	Other:		
	Products described in additional U.S. note 3 to section VI.....	12.1%	Free (CA,E,IL, J,NK) 15.44/kg + 57%
2916.34.55	Other.....	34/kg + 14.3%	Free (CA,E,IL, J,NK) 15.44/kg + 57%
2916.35 2916.35.15	Esters of phenylacetic acid: Odoriferous or flavoring compounds.....	10.8%	Free (A*,CA,E, IL,J,NK) 15.44/kg + 50%
2916.35.25	Other:		
	Products described in additional U.S. note 3 to section VI.....	12.1%	Free (CA,E,IL, J,NK) 15.44/kg + 57%
2916.35.55	Other.....	34/kg + 14.3%	Free (CA,E,IL, J,NK) 15.44/kg + 57%

Conforming change: General note 4(d) is modified by deleting "2916.33.20 India" and by inserting in numerical sequence "2916.34.15 India" and "2916.35.15 India".

82. The following new subheadings 2922.43, 2922.43.10 and 2922.43.50 are inserted in numerical order:

[Oxygen-function...:]				
[Amino-acids...:]				
Anthranilic acid and its salts:				
*2922.43	Products described in additional			
2922.43.10	U.S. note 3 to section VI.....	12.1%	Free (CA,E,IL, J,K,MX)	15.44/kg + 50%
2922.43.50	Other.....	34/kg + 13.8%	Free (CA,E,IL, J,K,MX)	15.44/kg + 50%

83. The article description of subheading 2922.49.10 is modified by inserting the following chemical name in alphabetical order:

"8-(8-Methoxyethoxyethyl)-4-aminobenzoate;"

84. The article description of subheading 2922.50.10 is modified by deleting the chemical name, "8-(8-Methoxyethoxyethyl)-4-aminobenzoate;"

85. The article description of subheading 2922.50.13 is modified by deleting the chemical name, "Propranolol hydrochloride;"

86. The following new subheading 2924.22.00 is inserted in numerical order:

[Carboxamide-function...:]				
[Cyclic...:]				
*2924.22.00	2-Acetamidobenzoic acid.....	34/kg + 15.8%	Free (CA,E,IL, J) 2.54/kg + 12.6% (MX)	15.44/kg + 58%

87. Subheadings 2932.90 through 2932.90.90 are superseded by the following:

[Heterocyclic...:]				
*Other:				
2932.91.00	Isosafrole.....	12.1%	Free (CA,E,IL, J,MX)	15.44/kg + 52%
2932.92.00	1-(1,3-Benzodioxol-5-yl)propan-2-one.....	12.1%	Free (CA,E,IL, J,MX)	15.44/kg + 52%
2932.93.00	Piperonal (heliotropin).....	4.8%	Free (CA,E,IL, J,MX)	45%
2932.94.00	Safrole.....	6.9%	Free (A*,CA,E, IL,J,MX)	45%
2932.99	Other:			
Aromatic:				
Pesticides:				
2932.99.04	2,2-Dimethyl-1,3-benzodioxol-4-yl methylcarbamate (Bandicarb).....	Free		15.44/kg + 40.5%
2932.99.08	2-Ethoxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl(methanesulfonate)...	6.7%	Free (A*,CA,E, IL,J,MX)	15.44/kg + 40.5%
2932.99.20	Other.....	10.2%	Free (A*,CA,E, IL,J,MX)	15.44/kg + 40%

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87. (con.):

[Heterocyclic....] [con.]			
Other (con.):			
Other (con.):			
Aromatic (con.):			
2932.99.32	Benzofuran (Coumarone); and Dibenzofuran (Diphenylene oxide).....	Free	Free
2932.99.35	2-Hydroxy-3-dibenzofuran-carboxylic acid.....	7.3%	Free (CA,E,IL, J,NK) 15.44/kg + 66.5%
2932.99.39	Benzointetrahydropyranyl ester; and Xanthen-9-one.....	5.8%	Free (CA,E,IL, J,NK) 15.44/kg + 39.5%
2932.99.55	Bis-O-[(4-methylphenyl)-methylene]-D-glucitol (Dimethylbenzylidene sorbitol); and Rhodamine 2C base.....	Free	15.44/kg + 52%
Other:			
2932.99.60	Products described in additional U.S. note 3 to section VI.....	12.1%	Free (CA,E,IL, J,K,NK) 15.44/kg + 52%
2932.99.70	Other.....	34/kg + 14.3%	Free (CA,E,IL, J,K,L,NK) 15.44/kg + 52%
Other:			
2932.99.80	Paraldehyde, USP grade.....	Free	25%
2932.99.90	Other.....	3.7%	Free (A*,CA,E, IL,J,K,NK) 250*

Conforming changes: General note 4(d) is modified by deleting "2932.90.08 India", "2932.90.20 India", "2932.90.37 India", and "2932.90.90 India" and by inserting in numerical sequence "2932.94.00 India", "2932.99.08 India", "2932.99.20 India", and "2932.99.90 India".

88(a). The article description of heading 2933 is modified to read as follows:

"Heterocyclic compounds with nitrogen hetero-atom(s) only:"

(b). The following new subheadings 2933.32 through 2933.32.50 are inserted in numerical order:

[Heterocyclic....]			
[Compounds....]			
Piperidine and its salts:			
*2933.32	Piperidine.....	34/kg + 14.3%	Free (CA,E,IL,J) 15.44/kg + 52%
2933.32.10	Piperidine.....	34/kg + 14.3%	Free (CA,E,IL,J) 15.44/kg + 52%
2933.32.50	Other.....	12.1%	Free (CA,E,IL,J) 15.44/kg + 52%

Conforming change: Subheadings 2933.39.60 and 2933.39.90 are redesignated as 2933.39.61 and 2933.39.91, respectively.

88. (con.)

(c). The superior text immediately preceding subheading 2933.51 and appearing at the same level of indentation as the article description of subheading 2933.40 is modified to read as follows:

"Compounds containing a pyrimidine ring (whether or not hydrogenated) or piperazine ring in the structure:"

89(a). The article description of heading 2934 is modified to read as follows:

"Nucleic acids and their salts; other heterocyclic compounds:"

(b). The following new subheading 9906.29.40 is inserted in numerical sequence in subchapter VI of chapter 99:

[Goods of Mexico,...:]		
9906.29.40	Nucleic acids and their salts (provided for in subheading 2934.90.39).....	5.4% (HK)"

90. Subheading 2939.40.00 is superseded by the following:

[Vegetable....:]		
"Ephedrine and its salts:		
2939.41.00	Ephedrine and its salts.....	Free 15.4¢/kg + 59%
2939.42.00	Pseudoephedrine and its salts.....	Free 15.4¢/kg + 59%
2939.49.00	Other.....	Free 15.4¢/kg + 59%

91. Subheading 2939.60.00 is superseded by the following:

[Vegetable....:]		
"Alkaloids of rye ergot and their derivatives; salts thereof:		
2939.61.00	Ergometrine and its salts.....	Free 25%
2939.62.00	Ergotamine and its salts.....	Free 25%
2939.63.00	Lysergic acid and its salts.....	Free 25%
2939.69.00	Other.....	Free 25%

92(a). Notes 2 and 3 to chapter 30 are redesignated as notes 3 and 4, respectively, and the following new note 2 is inserted:

"2. For the purposes of heading 3002, the expression "modified immunological products" applies only to monoclonal antibodies (MABs), antibody fragments, antibody conjugates and antibody fragment conjugates."

(b). Note 3 to chapter 30 (as redesignated above) is modified by deleting the expression "note 3(d)" and inserting the expression "note 4(d)" in lieu thereof.

93(a). The article description of heading 3002 is modified by deleting the expression "blood fractions;" and inserting the following expression in lieu thereof: "blood fractions and modified immunological products, whether or not obtained by means of biotechnological processes;"

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93. (con.)

(b). The article description of subheading 3002.10.00 is modified by adding at the end thereof the expression "and modified immunological products, whether or not obtained by means of biotechnological processes".

(c). Subheadings 3002.31.00, the superior text thereto reading "Vaccines for veterinary medicine:", and 3002.39.00 are superseded by the following:

[Human....]		
"3002.30.00	Vaccines for veterinary medicine.....	Free Free"

94. The article description of heading 3006 is modified to read as follows:

"Pharmaceutical goods specified in note 4 to this chapter:"

95. Subdivision (c) of note 1 to chapter 31 is modified by deleting the expression "heading 3823" and inserting the expression "heading 3824" in lieu thereof.

96(a). Subheading 3201.30.00 is deleted.

(b). Subheading 3201.90.20 is redesignated as 3201.90.25, and the article description of such subheading 3201.90.25 is superseded by the following:

"Extracts of casahuate, chestnut, curupay, divi-divi, eucalyptus, gambier, hemlock, larch, mangrove, myrobolan, oak, sumac, tara, urunday or valonia"

97. Subheading 3206.10.00 is superseded by the following:

	[Other....]		
	"Pigments and preparations based on titanium dioxide:		
3206.11.00	Containing 80 percent or more by weight of titanium dioxide calculated on the dry weight.....	6%	Free (A*,CA,E, IL,J,NK) 30%
3206.19.00	Other.....	6%	Free (A*,CA,E, IL,J,NK) 30%

Conforming change: General note 4(d) is modified by deleting "3206.10.00 India" and by inserting in lieu thereof "3206.11.00 India" and "3206.19.00 India".

98. The article description of subheading 3214.10.00 is modified to read as follows:

"Blaziers' putty, grafting putty, resin cements, caulking compounds and other mastics; painters' fillings".

99. Subparagraph (a) of note 1 to chapter 33 is superseded by the following:

"(a) Natural oleoresins or vegetable extracts of heading 1301 or 1302;"

100. Notes 2 and 3 to chapter 33 are redesignated as notes 3 and 4, respectively, and the following new note 2 is inserted:

"2. The expression "odoriferous substances" in heading 3302 refers only to the substances of heading 3301, to odoriferous constituents isolated from those substances or to synthetic aromatics."

101. The article description of heading 3301 is modified by inserting the expression "extracted oleoresins;" after the expression "resinoids;".

102(a). The article description of heading 3302 is modified to read as follows:

"Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages:".

(b). Subheading 3302.10.30 is superseded by the following:

	[Mixtures....]				
	[Of....]				
	[Containing....]				
	"Containing over 20 percent of alcohol by weight:				
	Preparations requiring only the addition of ethyl alcohol or water to produce a beverage suitable for human consumption:				
3302.10.40	Containing over 20 percent but not over 50 percent of alcohol by weight.....	11.6¢/kg + 2.6%	Free (A*,CA,E,IL,J,NK)	88¢/kg + 25%	
3302.10.50	Containing over 50 percent of alcohol by weight.....	23.3¢/kg + 2.6%	Free (A*,CA,E,IL,J,NK)	\$1.76/kg + 25%	
3302.10.90	Other.....	3.8%	Free (CA,E,IL,J,NK)	50%	

Conforming change: General note 4(d) is modified by inserting in numerical sequence "3302.10.40 India" and "3302.10.50 India".

103. Subheading 3304.99.00 is superseded by the following:

	[Beauty....]				
	[Other:]				
"3304.99	Other:				
3304.99.10	Petroleum jelly put up for retail sale.....	Free		75%	
3304.99.50	Other.....	2.9%	Free (A*,E,IL,J,NK)	75%	
			0.9% (CA)		

Conforming change: General note 4(d) is modified by deleting "3304.99.00 India" and by inserting in lieu thereof "3304.99.50 India".

104(a). The article description of heading 3306 is modified to read as follows:

"Preparations for oral or dental hygiene, including denture fixative pastes and powders; yarn used to clean between the teeth (dental floss), in individual retail packages:".

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104. (con.)

(b). The following new subheading 3306.20.00 is inserted in numerical order:

[Preparations....:]			
"3306.20.00	Yarn used to clean between the teeth (dental floss).....	3.3%	Free (A*,E,IL, J,NK) 1.1% (CA)
			88¢/kg + 75¢

Conforming change: General note 4(d) to the HTS is modified by inserting in numerical sequence "3306.20.00 India".

105. Subdivision (a) of note 5 to chapter 34 is modified by deleting the expression "heading 1516, 1519 or 3402" and inserting the expression "1516, 3402 or 3823" in lieu thereof.

106. Subheadings 3502.10 through 3502.90.00 are superseded by the following:

[Albumina,....:]			
3502.11.00	"Egg albumin: Dried.....	55.5¢/kg	Free (E,IL,J,NK) 11.9¢/kg (CA)
3502.19.00	Other.....	11.3¢/kg	Free (E,IL,J,NK) 2.4¢/kg (CA)
3502.20.00	Milk albumin, including concentrates of two or more whey proteins.....	Free	Free
3502.90.00	Other.....	Free	Free"

107. Note 1 to chapter 37 is modified by deleting the word "materials".

108. Note 2 to chapter 37 is modified to read as follows:

"2. In this chapter the word "photographic" relates to the process by which visible images are formed, directly or indirectly, by the action of light or other forms of radiation on photosensitive surfaces."

109(a). The superior text immediately preceding subheading 3702.31.00 and after subheading 3702.20.00 is modified by deleting the expression "without sprocket holes," and inserting the expression "without perforations," in lieu thereof.

(b). The superior text immediately preceding subheading 3702.41.00 and after subheading 3702.39.00 is modified by deleting the expression "without sprocket holes," and inserting the expression "without perforations," in lieu thereof.

110. The following new subdivision (d) of note 1 to chapter 38 is inserted:

"(d) Spent catalysts of a kind used for the extraction of base metals or for the manufacture of chemical compounds of base metals (heading 2620), spent catalysts of a kind used principally for the recovery of precious metal (heading 7112) or catalysts consisting of metals or metal alloys in the form of, for example, finely divided powder or woven gauze (section XIV or XV)."

111. Note 2 to chapter 38 is modified by deleting the expression "Heading 3823" and inserting the expression "Heading 3824" in lieu thereof.



112. The article description of subheading 3806.20.00 is modified to read as follows:

"Salts of rosin, of resin acids or of derivatives of resin or resin acids, other than salts of rosin adducts"

113(a). The article description of heading 3822.00 is modified to read as follows:

"Diagnostic or laboratory reagents on a backing and prepared diagnostic or laboratory reagents whether or not on a backing, other than those of heading 3002 or 3006:"

(b). The following new subheading is inserted in numerical sequence in subchapter VI of chapter 99:

[Goods of Mexico,....]  
"9906.38.22 Diagnostic or laboratory reagents on a  
backing of paper (provided for in  
subheading 3822.00.50)..... Free (MX)"

114. The following heading and subheadings are redesignated as follows:

<u>Present number</u>	<u>New number</u>
3823.....	3824
3823.10.00.....	3824.10.00
3823.20.00.....	3824.20.00
3823.30.00.....	3824.30.00
3823.40.....	3824.40
3823.40.10.....	3824.40.10
3823.40.20.....	3824.40.20
3823.40.50.....	3824.40.50
3823.50.00.....	3824.50.00
3823.60.00.....	3824.60.00
3823.90.....	3824.90
3823.90.11.....	3824.90.11
3823.90.19.....	3824.90.19
3823.90.21.....	3824.90.21
3823.90.22.....	3824.90.22
3823.90.25.....	3824.90.25
3823.90.26.....	3824.90.26
3823.90.28.....	3824.90.28
3823.90.31.....	3824.90.31
3823.90.32.....	3824.90.32
3823.90.33.....	3824.90.33
3823.90.34.....	3824.90.34
3823.90.35.....	3824.90.35
3823.90.36.....	3824.90.36
3823.90.39.....	3824.90.39
3823.90.40.....	3824.90.40
3823.90.45.....	3824.90.45
3823.90.46.....	3824.90.46
3823.90.47.....	3824.90.47
3823.90.70.....	3824.90.70
3823.90.90.....	3824.90.90

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114. (con.)

Conforming changes: General note 4(d) to the HTS is modified by deleting the subheadings and countries set forth in the column labelled "Present provision" and by inserting in numerical sequence the subheadings and countries set forth in the column labelled "New provision":

<u>Present provision</u>	<u>New provision</u>
3823.20.00 India	3824.20.00 India
3823.30.00 India	3824.30.00 India
3823.60.00 India	3824.60.00 India
3823.90.19 India	3824.90.19 India
3823.90.22 India	3824.90.22 India
3823.90.25 India	3824.90.25 India
3823.90.31 India	3824.90.31 India
3823.90.32 India	3824.90.32 India
3823.90.33 India	3824.90.33 India
3823.90.34 India	3824.90.34 India
3823.90.36 India	3824.90.36 India
3823.90.40 Brazil; India; Malaysia	3824.90.40 Brazil; India; Malaysia
3823.90.46 India	3824.90.46 India

115. The following new heading 3823 and its subheadings are inserted in numerical order:

*3823 Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols; Industrial monocarboxylic fatty acids; acid oils from refining:			
3823.11.00	Stearic acid.....	2.9¢/kg + 5.3%	Free (A*,E,IL, J,NK) 6.6¢/kg + 25% 0.6¢/kg + 1.2% (CA)
3823.12.00	Oleic acid.....	2.9¢/kg + 4.4%	Free (A*,E,IL, J,NK) 6.6¢/kg + 20% 0.6¢/kg + 1% (CA)
3823.13.00	Tall oil fatty acids.....	4.4%	Free (CA,E,IL,J, NK) 20%
3823.19	Other:		
3823.19.20	Derived from coconut, palm-kernel or palm oil.....	4.1%	Free (A*,E,IL,J, NK) 20% 1% (CA)
3823.19.40	Other.....	4.4%	Free (E,IL,J,NK) 20% 1% (CA)
3823.70	Industrial fatty alcohols: Derived from fatty substances of animal or vegetable origin:		
3823.70.20	Oleyl alcohol.....	7%	Free (E,IL,J,NK) 39.5% 1.5% (CA)
3823.70.40	Other.....	4%	Free (E,IL,J,NK) 25% 1% (CA)
3823.70.60	Other.....	3.3%	Free (E,IL,J,NK) 25% 0.7% (CA)

115. (con.)

Conforming change: General note 4(d) is modified by inserting in numerical sequence "3823.19.20 India".

116. The following new subheadings 3824.71.00 and 3824.79.00 are inserted in numerical order:

[Prepared....]

*Mixtures containing perhalogenated derivatives of acyclic hydrocarbons containing two or more different halogens:			
3824.71.00	Containing acyclic hydrocarbons perhalogenated only with fluorine and chlorine.....	3.7%	Free (CA,E,IL, J,IX)
			25%
3824.79.00	Other.....	3.7%	Free (CA,E,IL, J,IX)
			25%

117(a). Subdivision (d) of note 2 to chapter 39 is modified to read as follows:

"(d) Solutions (other than colloids) consisting of any of the products specified in headings 3901 to 3913 in volatile organic solvents when the weight of the solvent exceeds 50 percent of the weight of the solution (heading 3206); stamping foils of heading 3212;"

(b). Subdivisions (g) through (v) of note 2 to chapter 39 are redesignated as (h) through (w), respectively, and the following new subdivision (g) is inserted:

"(g) Diagnostic or laboratory reagents on a backing of plastics (heading 3822);"

118. Note 4 to chapter 39 is modified to read as follows:

"4. The expression "copolymers" covers all polymers in which no single monomer unit contributes 95 percent or more by weight to the total polymer content.

For the purposes of this chapter, except where the context otherwise requires, copolymers (including co-polycondensates, co-polyaddition products, block copolymers and graft copolymers) and polymer blends are to be classified in the heading covering polymers of that comonomer unit which predominates by weight over every other single comonomer unit. For the purposes of this note, constituent comonomer units of polymers falling in the same heading shall be taken together.

If no single comonomer unit predominates, copolymers or polymer blends, as the case may be, are to be classified in the heading which occurs last in numerical order among those which equally merit consideration."

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119. Subheading note 1 to chapter 39 is modified to read as follows:

"1. Within any one heading of this chapter, polymers (including copolymers) and chemically modified polymers are to be classified according to the following provisions:

(a) Where there is a subheading named "Other" in the same series:

- (1) The designation in a subheading of a polymer by the prefix "poly" (e.g., polyethylene and polyamide-6,6) means that the constituent monomer unit or monomer units of the named polymer taken together must contribute 95 percent or more by weight of the total polymer content.
- (2) The copolymers named in subheadings 3901.30, 3903.20, 3903.30 and 3904.30 are to be classified in these subheadings, provided that the comonomer units of the named copolymers contribute 95 percent or more by weight of the total polymer content.
- (3) Chemically modified polymers are to be classified in the subheading named "Other", provided that the chemically modified polymers are not more specifically covered by another subheading.
- (4) Polymers not meeting (1), (2) or (3), above, are to be classified in the subheading, among the remaining subheadings in the series, covering polymers of that monomer unit which predominates by weight over every other single comonomer unit. For this purpose, constituent monomer units of polymers falling in the same subheading shall be taken together. Only the constituent comonomer units of the polymers in the series of subheadings under consideration are to be compared.

(b) Where there is no subheading named "Other" in the same series:

- (1) Polymers are to be classified in the subheading covering polymers of that monomer unit which predominates by weight over every other single comonomer unit. For this purpose, constituent monomer units of polymers falling in the same subheading shall be taken together. Only the constituent comonomer units of the polymers in the series under consideration are to be compared.
- (2) Chemically modified polymers are to be classified in the subheading appropriate to the unmodified polymer.

Polymer blends are to be classified in the same subheading as polymers of the same monomer units in the same proportions."

120. Subheading 3901.90.50 is superseded by the following:

[Polymers....]

[Other:]

"Other:

3901.90.55	Ethylene copolymers.....	11.3%	Free (A,CA,E, IL,J,NK)	43%
3901.90.90	Other.....	1.3g/kg + 7.2%	Free (A,CA,E,IL, J,K,NK)	2.2g/kg + 33.5%

121. Subheadings 3905.11.00 through 3905.90.80 are superseded by the following:

[Polymers....]			
*Polyvinyl acetate:			
3905.12.00	In aqueous dispersion.....	4%	Free (A,CA,E,IL, J,NK) 37.5%
3905.19.00	Other.....	4%	Free (A,CA,E,IL, J,NK) 37.5%
Vinyl acetate copolymers:			
3905.21.00	In aqueous dispersion.....	4%	Free (A,CA,E,IL, J,NK) 37.5%
3905.29.00	Other.....	4%	Free (A,CA,E,IL, J,NK) 37.5%
3905.30.00	Polyvinyl alcohol, whether or not containing unhydrolyzed acetate groups.....	3.2%	Free (A,CA,E,IL, J,NK) 37.5%
Other:			
Copolymers:			
3905.91	Containing by weight 50 percent		
3905.91.10	or more of derivatives of vinyl		
	acetate.....	4%	Free (A,CA,E,IL, J,K,NK) 37.5%
3905.91.50	Other.....	5.3%	Free (A,CA,E,IL, J,K,NK) 43.5%
Other:			
3905.99	Polyvinyl carbazole (including		
3905.99.30	adjuvants).....		
		Free	43.5%
3905.99.80	Other.....	5.3%	Free (A,CA,E,IL, J,K,NK) 43.5%

122. Subheadings 4010.10 through 4010.99.50 are superseded by the following:

[Conveyor....]			
*Conveyor belts or belting:			
4010.11.00	Reinforced only with metal.....	3.8%	Free (A,E,IL,J, NK) 25%
			0.8% (CA)
Reinforced only with textile materials:			
4010.12	With textile components in which		
4010.12.10	vegetable fibers predominate by		
	weight over any other single		
	textile fiber.....		
		4.7%	Free (A,E,IL,J, NK) 30%
			1% (CA)
With textile components in which			
man-made fibers predominate by			
weight over any other single			
textile fiber:			
4010.12.50	Of a width exceeding 20 cm.....	8%	Free (A,E,IL,J, NK) 74%
			1.6% (CA)
4010.12.55	Other.....	7.4%	Free (A,E,IL,J, NK) 74%
			1.6% (CA)
4010.12.90	Other.....	2.2%	Free (E,IL,J) 25%
			0.4% (CA)
			1.6% (NK)

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122. (con.):

[Conveyor....]		
Conveyor belts or belting (con.):		
4010.13.00	Reinforced only with plastics.....	3.8% Free (A,E,IL,J, 25% HX) 0.8% (CA)
4010.19	Other:	
Combined with textile materials:		
4010.19.10	With textile components in which vegetable fibers predominate by weight over any other single textile fiber.....	4.7% Free (A,E,IL,J, 30% HX) 1% (CA)
With textile components in		
which man-made fibers		
predominate by weight over		
any other single textile		
fiber:		
4010.19.50	Of a width exceeding 20 cm.....	8% Free (A,E,IL,J, 74% HX) 1.6% (CA)
4010.19.55	Other.....	7.4% Free (A,E,IL,J, 74% HX) 1.6% (CA)
4010.19.80	Other.....	2.2% Free (E,IL,J) 25% 0.4% (CA) 1.6% (HX)
4010.19.90	Other.....	3.8% Free (A,E,IL,J, 25% HX) 0.8% (CA)
Transmission belts or beltings:		
4010.21	Endless transmission belts of trapezoidal cross section (V-belts), whether or not grooved, of a circumference exceeding 60 cm but not exceeding 180 cm:	
4010.21.30	Combined with textile materials.....	4.4% Free (B,E,IL,J, 30% HX) 1% (CA)
4010.21.60	Other.....	3.6% Free (A,E,IL,J, 25% HX) 0.8% (CA)
4010.22	Endless transmission belts of trapezoidal cross section (V-belts), whether or not grooved, of a circumference exceeding 180 cm but not exceeding 240 cm:	
4010.22.30	Combined with textile materials.....	4.4% Free (B,E,IL,J, 30% HX) 1% (CA)
4010.22.60	Other.....	3.6% Free (A,E,IL,J, 25% HX) 0.8% (CA)

122. (con.):

[Conveyor....]

Transmission belts or belting (con.):			
4010.23	Endless synchronous belts of a circumference exceeding 60 cm but not exceeding 150 cm:		
Combined with textile materials:			
4010.23.30	With textile components in which vegetable fibers predominate by weight over any other single textile fiber.....	4.7%	Free (A,E,IL,J, PK) 1% (CA)
With textile components in which man-made fibers predominate by weight over any other single textile fiber:			
4010.23.41	Of a width exceeding 20 cm.....	8%	Free (A,E,IL,J, PK) 1.6% (CA)
4010.23.45	Other.....	7.4%	Free (A,E,IL,J, PK) 1.6% (CA)
4010.23.50	Other.....	2.2%	Free (E,IL,J) 25% 0.4% (CA) 1.6% (PK)
4010.23.90	Other.....	3.8%	Free (A,E,IL,J, PK) 0.8% (CA)
4010.24	Endless synchronous belts of a circumference exceeding 150 cm but not exceeding 198 cm:		
Combined with textile materials:			
4010.24.30	With textile components in which vegetable fibers predominate by weight over any other single textile fiber.....	4.7%	Free (A,E,IL,J, PK) 1% (CA)
With textile components in which man-made fibers predominate by weight over any other single textile fiber:			
4010.24.41	Of a width exceeding 20 cm.....	8%	Free (A,E,IL,J, PK) 1.6% (CA)
4010.24.45	Other.....	7.4%	Free (A,E,IL,J, PK) 1.6% (CA)
4010.24.50	Other.....	2.2%	Free (E,IL,J) 25% 0.4% (CA) 1.6% (PK)
4010.24.90	Other.....	3.8%	Free (A,E,IL,J, PK) 0.8% (CA)

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122. (con.):

[Conveyor....]			
Transmission belts or belting (con.):			
4010.29	Other:		
	Of trapezoidal cross section		
	(V-belts and V-beltting):		
4010.29.10	Combined with textile		
	materials.....	4.4%	Free (B,E,IL,J, HK) 1% (CA)
4010.29.20	Other.....	3.6%	Free (A,E,IL,J, HK) 0.8% (CA)
	Other:		
	Combined with textile		
	materials:		
4010.29.30	With textile components		
	in which vegetable		
	fibers predominate by		
	weight over any other		
	single textile fiber.....	4.7%	Free (A,E,IL,J, HK) 1% (CA)
	With textile components		
	in which man-made fibers		
	predominate by weight		
	over any other single		
	textile fiber:		
4010.29.41	Of a width		
	exceeding 20 cm.....	8%	Free (A,E,IL,J, HK) 1.6% (CA)
4010.29.45	Other.....	7.4%	Free (A,E,IL,J, HK) 1.6% (CA)
4010.29.50	Other.....	2.2%	Free (E,IL,J) 0.4% (CA) 1.6% (HK)
4010.29.90	Other.....	3.8%	Free (A,E,IL,J, HK) 0.8% (CA)

123. The article description of subheading 4104.31 is modified by deleting the expression "grain splits:" and inserting the expression "full grain splits:" in lieu thereof.



124. Note 2 to chapter 42 is deleted and the following new note 2 inserted in lieu thereof:

"2. (A) In addition to the provisions of note 1, above, heading 4202 does not cover:

(a) Bags made of sheeting of plastics, whether or not printed, with handles, not designed for prolonged use (heading 3923);

(b) Articles of plaiting materials (heading 4602).

(B) Articles of headings 4202 and 4203 which have parts of precious metal or metal clad with precious metal, of natural or cultured pearls, of precious or semiprecious stones (natural, synthetic or reconstructed) remain classified in these headings even if such parts constitute more than minor fittings or minor ornamentation, provided that these parts do not give the articles their essential character. If, on the other hand, the parts give the articles their essential character, the articles are to be classified in chapter 71."

125. Note 1 to chapter 43 is modified by inserting the expression "or wool" after the expression "hair".

126. Subdivision (b) of note 2 to chapter 43 is modified by inserting the expression "or wool" after the expression "hair".

127. Subdivision (b) of note 1 to chapter 44 is superseded by the following:

"(b) Bamboo or other materials of a woody nature of a kind used primarily for plaiting, in the rough, whether or not split, sawn lengthwise or cut to length (heading 1401);"

128. Note 6 to chapter 44 is modified to read as follows:

"6. Subject to note 1 above and except where the context otherwise requires, any reference to "wood" in a heading of this chapter applies also to bamboo and other materials of a woody nature."

129. The following new subheading note 1 to chapter 44 is inserted after note 6 to chapter 44:

"Subheading Note

1. For the purposes of subheadings 4403.41 to 4403.49, 4407.24 to 4407.29, 4408.31 to 4408.39 and 4412.13 to 4412.99, the expression "tropical wood" means one of the following types of wood:

Abura, Acajou d'Afrique, Afrormosia, Ako, Alan, Andiroba, Anigré, Avodiré, Azobé, Balsa, Balsa, Boisé clair, Boisé foncé, Cativo, Cedro, Daboma, Dark Red Meranti, Dibétou, Doussié, Frasier, Freijo, Fromager, Fuma, Geronggang, Ilomba, Imbula, Ipé, Iroko, Jaboty, Jelutong, Jacuitiba, Jongkang, Kapur, Kempas, Keruing, Koipio, Kotibé, Koto, Light Red Meranti, Limba, Louro, Macaranduba, Mahogany, Makoré, Mansonia, Mengkulang, Meranti Bakau, Merawan, Merbau, Merpah, Mersewa, Moabi, Niangon, Nyatoh, Obeche, Okoumé, Orizabill, Orey, Ovangkol, Ozigo, Padouk, Paldao, Palissandre de Guatemala, Palissandre de Para, Palissandre de Rio, Palissandre de Rose, Pau Merfim, Putai, Punah, Ramin, Sapelli, Sequi-Sequi, Sepetir, Sipo, Sucupira, Suran, Teak, Tiama, Tola, Virola, White Lauan, White Meranti, White Seraya, Yellow Meranti."

## Annex II (con.)

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130. Subheadings 4403.31.00 (and the superior text thereto reading "Other, of the following tropical woods:") through 4403.35.00, inclusive, are superseded by the following:

[Wood....]

"Other, of tropical wood specified in subheading note 1 to this chapter:

4403.41.00	Dark Red Meranti, Light Red Meranti and Meranti Bakau.....	Free	Free
4403.49.00	Other.....	Free	Free"

131. Subheadings 4407.21.00 (and the superior text thereto reading "Of the following tropical woods:"), 4407.22.00 and 4407.23.00 are superseded by the following:

[Wood....]

"Of tropical wood specified in subheading note 1 to this chapter:

4407.24.00	Virola, Mahogany ( <i>Buriana</i> spp.), Imbuia and Balise.....	Free	\$1.27/m <sup>3</sup>
4407.25.00	Dark Red Meranti, Light Red Meranti and Meranti Bakau.....	Free	\$1.27/m <sup>3</sup>
4407.26.00	White Lauan, White Meranti, White Seraya, Yellow Meranti and Alan.....	Free	\$1.27/m <sup>3</sup>
4407.29.00	Other.....	Free	\$1.27/m <sup>3</sup> "

132. Subheading 4408.20.00 is superseded by the following:

[Veneer....]

"Of tropical wood specified in subheading note 1 to this chapter:

4408.31.00	Dark Red Meranti, Light Red Meranti and Meranti Bakau.....	Free	20%
4408.39.00	Other.....	Free	20%"

133. Subheading 4410.10.00 is superseded by the following:

[Particle....]

"Of wood:

4410.11.00	Waferboard, including oriented strand board.....	2.4%	Free (A,CA,E,IL, J,MK)	40%
4410.19.00	Other.....	2.4%	Free (A,CA,E,IL, J,MK)	40%"

134. Subheadings 4412.11 through 4412.99.90 are superseded by the following:

[Plywood,....:]			
[Plywood,....:]			
4412.13	With at least one outer ply of tropical wood specified in subheading note 1 to this chapter: Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:		
4412.13.05	With a face ply of birch ( <i>Betula</i> app.).....	1.8%	Free (A*,CA,E, IL,J,NK) 50%
4412.13.25	With a face ply of Spanish cedar ( <i>Cedrela</i> app.) or walnut ( <i>Juglans</i> app.).....	8%	Free (A*,CA,E, IL,J,NK) 40%
4412.13.30	Other.....	8%	Free (A*,CA,E, IL,J,NK) 40%
4412.13.55	Other.....	8%	Free (A*,CA,E, IL,J,NK) 40%
4412.14	Other, with at least one outer ply of nonconiferous wood: Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:		
4412.14.05	With a face ply of birch ( <i>Betula</i> app.).....	1.8%	Free (A,CA,E, IL,J,NK) 50%
4412.14.25	With a face ply of Spanish cedar ( <i>Cedrela</i> app.) or walnut ( <i>Juglans</i> app.).....	6.8%	Free (A*,CA,E, IL,J,NK) 40%
4412.14.30	Other.....	8%	Free (A*,CA,E, IL,J,NK) 40%
4412.14.55	Other.....	8%	Free (A*,CA,E, IL,J,NK) 40%
4412.19	Other, with both outer plies of coniferous wood: Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:		
4412.19.10	With a face ply of Parana pine ( <i>Araucaria araucatifolia</i> ).....	3%	Free (A*,E,IL,J, NK) 40%
			1% (CA)
4412.19.30	With a face ply of European red pine ( <i>Pinus sylvestris</i> )....	4.5%	Free (A*,E,IL,J, NK) 40%
			1% (CA)
4412.19.40	Other.....	15.2%	Free (A*,E,IL,J, NK) 40%
			4% (CA)

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134. (con.):

	(Plywood,...:) [con.]			
	(Plywood,...:) [con.]			
4412.19	Other, with both outer plies of			
(con.)	coniferous wood (con.):			
4412.19.50	Other.....	6.8%	Free (E,IL,J) 1.6% (CA) 5.6% (NK)	40%
	Other, with at least one outer ply of			
	nonconiferous wood:			
4412.22	With at least one ply of tropical wood			
	specified in subheading note 1 to this			
	chapter:			
4412.22.05	Containing at least one layer of			
	particle board.....	2.4%	Free (A,CA,E, IL,J,NK)	40%
	Other:			
	Plywood:			
	Not surface covered, or			
	clear surface covered			
	with a clear or			
	transparent material			
	which does not obscure			
	the grain, texture or			
	markings of the face			
	ply:			
4412.22.10	With a face ply of			
	birch			
	(Betula spp.).....	1.8%	Free (A,CA,E, IL,J,NK)	50%
4412.22.30	Other.....	8%	Free (A*,CA,E, IL,J,NK)	40%
4412.22.40	Other.....	8%	Free (A*,CA,E, IL,J,NK)	40%
4412.22.50	Other.....	2.4%	Free (A,CA,E, IL,J,NK)	40%
4412.23.00	Other, containing at least one layer			
	of particle board.....	2.4%	Free (A,CA,E, IL,J,NK)	40%
4412.29	Other:			
	Plywood:			
	Not surface covered, or			
	surface covered with a clear			
	or transparent material			
	which does not obscure the			
	grain, texture or markings			
	of the face ply:			
4412.29.15	With a face ply of			
	birch (Betula spp.).....	1.8%	Free (A,CA,E, IL,J,NK)	50%
4412.29.35	Other.....	8%	Free (A*,CA,E, IL,J,NK)	40%
4412.29.45	Other.....	8%	Free (A*,CA,E, IL,J,NK)	40%
4412.29.55	Other.....	2.4%	Free (A,CA,E, IL,J,NK)	40%

134. (con.):

(Plywood,...:) [con.]			
Other:			
4412.92	With at least one ply of tropical wood specified in subheading note 1 to this chapter:		
4412.92.05	Containing at least one layer of particle board.....	2.4%	Free (A,CA,E, IL,J,NK) 40%
Other:			
Plywood:			
Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.92.10	With a face ply of of Parana pine ( <u>Aracaria angustifolia</u> ).....	3%	Free (A*,E,IL,J, NK) 40%
			1% (CA)
4412.92.30	With a face ply of European red pine ( <u>Pinus silvestris</u> )...	4.5%	Free (A,E,IL,J, NK) 40%
			1% (CA)
4412.92.40	Other.....	15.2%	Free (A*,E,IL,J, NK) 40%
			4% (CA)
4412.92.50	Other.....	6.8%	Free (A,E,IL,J, NK) 40%
			1.6% (CA)
4412.92.90	Other.....	2.4%	Free (A,E,IL,J, NK) 40%
			0.8% (CA)
4412.93.00	Other, containing at least one layer of particle board.....	2.4%	Free (A,CA,E, IL,J,NK) 40%
Other:			
Plywood:			
Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.99.15	With a face ply of Parana pine ( <u>Aracaria angustifolia</u> ).....	3%	Free (A*,E,IL,J, NK) 40%
			1% (CA)

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134. (con.):

[Plywood,...] (con.)

Other (con.):

4412.99  
(con.) Other (con.):

Plywood (con.):

Not surface covered, or  
surface covered with a clear  
or transparent material  
which does not obscure the  
grain, texture or markings  
of the face ply (con.):

4412.99.35	With a face ply of European red pine ( <u>Pinus silvestris</u> ).....	4.5%	Free (A,E,IL,J, MX) 1% (CA)	40%
4412.99.45	Other.....	15.2%	Free (A*,E,IL,J, MX) 4% (CA)	40%
4412.99.55	Other.....	6.8%	Free (A,E,IL,J, MX) 1.6% (CA)	40%
4412.99.95	Other.....	2.4%	Free (A,E,IL,J, MX) 0.8% (CA)	40%

Conforming changes: General note 4(d) is modified by deleting the subheading and countries referenced in Column A below and by inserting in numerical sequence the subheadings and countries referenced in Column B below:

Column A

4412.11.10 Indonesia  
4412.11.20 Indonesia  
4412.11.50 Indonesia  
4412.12.15 Brazil  
4412.12.20 Brazil; Indonesia  
4412.12.50 Brazil; Indonesia  
4412.29.30 Brazil; Indonesia  
4412.29.40 Brazil; Indonesia  
4412.99.10 Brazil  
4412.99.40 Indonesia

Column B

4412.13.05 Indonesia  
4412.13.25 Brazil; Indonesia  
4412.13.30 Brazil; Indonesia  
4412.13.55 Brazil; Indonesia  
4412.14.25 Brazil  
4412.14.30 Brazil; Indonesia  
4412.14.55 Brazil; Indonesia  
4412.22.30 Brazil; Indonesia  
4412.22.40 Brazil; Indonesia  
4412.29.35 Brazil; Indonesia  
4412.29.45 Brazil; Indonesia  
4412.92.10 Brazil  
4412.92.40 Indonesia  
4412.99.15 Brazil  
4412.99.45 Indonesia

135. The article description of heading 4415 is modified by deleting the expression "load boards, of wood:" and inserting the expression "load boards, of wood; pallet collars of wood:" in lieu thereof.

136. The article description of subheading 4415.20 is modified by deleting the expression "load boards:" and inserting the expression "load boards; pallet collars:" in lieu thereof.

137. Note 1 to chapter 46 is modified by deleting the expression "strips of other vegetable material (for example, raffia, narrow leaves or strips cut from broad leaves) or bark," and inserting the expression "strips of other vegetable material (for example, strips of bark, narrow leaves and raffia or other strips obtained from broad leaves)," in lieu thereof.

138. The title of section X is modified by deleting the expression "WASTE AND SCRAP OF PAPER OR PAPERBOARD" and inserting the expression "RECOVERED (WASTE AND SCRAP) PAPER OR PAPERBOARD" in lieu thereof.

139. The title of chapter 47 is modified by deleting the expression "WASTE AND SCRAP OF PAPER OR PAPERBOARD" and inserting the expression "RECOVERED (WASTE AND SCRAP) PAPER OR PAPERBOARD" in lieu thereof.

140(a). The article description of heading 4706 is superseded by the following:

"Pulps of fibers derived from recovered (waste and scrap) paper or paperboard or of other fibrous cellulosic material:"

(b). The following new subheading is inserted in numerical order:

	[Pulps....]	
"4706.20.00	Pulps of fibers derived from recovered (waste and scrap) paper or paperboard.....	Free Free"

141(a). The article description of heading 4707 is modified to read as follows:

"Recovered (waste and scrap) paper and paperboard:"

(b). The article description of subheading 4707.10 is modified to read as follows:

Unbleached kraft paper or paperboard or corrugated paper or paperboard".

(c). The article description of subheading 4707.20 is modified by deleting "Of other" and by inserting in lieu thereof "Other", and the article description of subheading 4707.30 is modified by deleting "Of paper" and by inserting in lieu thereof "Paper".

142. Subdivisions (f) through (o) of note 1 to chapter 48 are redesignated as (g) through (p), respectively, and the following new subdivision (f) is inserted in alphabetical order:

"(f) Paper impregnated with diagnostic or laboratory reagents (heading 3822);"

143. Note 2 to chapter 48 is modified by deleting the expression ", for example, by coating or impregnation".

144. Note 3 to chapter 48 is modified to read as follows:

"3. In this chapter, the expression "newsprint" means uncoated paper of a kind used for the printing of newspapers, of which not less than 65 percent by weight of the total fiber content consists of wood fibers obtained by a mechanical or chemi-mechanical process, unsized or very lightly sized, having a surface roughness Parker Print Surf (1 MPa) on each side exceeding 2.5 micrometers (microns), weighing not less than 40 g/m<sup>2</sup> and not more than 65 g/m<sup>2</sup>."

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145(a). Note 4 to chapter 48 is modified by deleting the sentence reading "\*\* Brightness is to be measured by the Elrepho, GE or any equivalent internationally recognized brightness testing method." and by deleting the "\*\* symbol wherever it appears in such note.

(b). Such note 4 to chapter 48 is further modified by deleting the expression "2.5 kPa/g/m<sup>2</sup>" at each appearance and by inserting the expression "2.5 kPa<sub>m</sub><sup>2</sup>/g" in lieu thereof.

146. Note 6 to chapter 48 is modified to read as follows:

"6. Except where the terms of the headings otherwise require, paper, paperboard, cellulose wadding and webs of cellulose fibers answering to a description in two or more of the headings 4801 to 4811 are to be classified under that one of such headings which occurs last in numerical order in the tariff schedule."

147. Note 7 to chapter 48 is modified to read as follows:

"7. (A) Headings 4801, 4802, 4804 to 4806 and 4811 apply only to paper, paperboard, cellulose wadding and webs of cellulose fibers:

(a) In strips or rolls of a width exceeding 15 cm; or

(b) In rectangular (including square) sheets with one side exceeding 36 cm and the other side exceeding 15 cm in the unfolded state.

Except that hand-made paper and paperboard in any size or shape as made directly and having all its edges deckled remains classified, subject to the provisions of note 6, in heading 4802.

(B) Headings 4803 and 4809 apply only to paper, cellulose wadding and webs of cellulose fibers:

(a) In strips or rolls of a width exceeding 36 cm; or

(b) In rectangular (including square) sheets with one side exceeding 36 cm and the other side exceeding 15 cm in the unfolded state."

148. Subdivision (a) of subheading note 2 to chapter 48 is modified by deleting the expression "38" and inserting the expression "3.7 kPa<sub>m</sub><sup>2</sup>/g" in lieu thereof.

149. Subheading note 3 to chapter 48 is modified by deleting the expression "20 kgf" and inserting the expression "196 newtons" in lieu thereof.

150. Subheading note 4 to chapter 48 is modified by deleting the expression "15" and inserting the expression "1.47 kPa<sub>m</sub><sup>2</sup>/g" in lieu thereof.

151. The article description of heading 4803.00 is modified to read as follows:

"Toilet or facial tissue stock, towel or napkin stock and similar paper of a kind used for household or sanitary purposes, cellulose wadding and webs of cellulose fibers, whether or not creped, crinkled, embossed, perforated, surface-colored, surface decorated or printed, in rolls or sheets:"

152. The article description of heading 4805 is modified to read as follows:

"Other uncoated paper and paperboard, in rolls or sheets, not further worked or processed than as specified in note 2 to this chapter:"



153. Subheadings 4807.91.00 (and the superior text thereto reading "Other:") and 4807.99 through 4807.99.40 are superseded by the following:

[Composite....]				
Other:				
"4807.90				
4807.90.10	Straw paper and paperboard, whether or not covered with paper other than straw paper.....	2.2%	Free (A,CA,E, IL,J,NK)	30%
Other:				
4807.90.20	Cloth-lined or reinforced paper.....	1.9%	Free (A,CA,E, IL,J,NK)	22.5%
4807.90.40	Other.....	Free		30%

154. The article description of heading 4808 is modified to read as follows:

"Paper and paperboard, corrugated (with or without glued flat surface sheets), creped, crinkled, embossed or perforated, in rolls or sheets, other than paper of the kind described in heading 4803:"

155. The article description of heading 4809 is modified to read as follows:

"Carbon paper, self-copy paper and other copying or transfer papers (including coated or impregnated paper for duplicator stencils or offset plates), whether or not printed, in rolls or sheets:"

156. The article description of heading 4811 is modified to read as follows:

"Paper, paperboard, cellulose wadding and webs of cellulose fibers, coated, impregnated, covered, surface-colored, surface-decorated or printed, in rolls or sheets, other than goods of the kind described in heading 4803, 4809 or 4810:"

157. The article description of heading 4818 is modified to read as follows:

"Toilet paper and similar paper, cellulose wadding or webs of cellulose fibers, of a kind used for household or sanitary purposes, in rolls of a width not exceeding 36 cm, or cut to size or shape; handkerchiefs, cleansing tissues, towels, tablecloths, table napkins, diapers, tampons, bed sheets and similar household, sanitary or hospital articles, articles of apparel and clothing accessories, of paper pulp, paper, cellulose wadding or webs of cellulose fibers:"

158(a). Subheading 4823.30.00 is deleted.

(b). The following new subheading 4823.90.30 is inserted in numerical order:

[Other....]				
[Other:]				
[Other:]				
"4823.90.30	Cards, not punched, for punchcard machines, whether or not in strips.....	3.1%	Free (A,CA,E, IL,J,NK)	30%

159(a). Subdivision (e) of note 1 to section XI is superseded by the following:

"(e) Articles of heading 3005 or 3006 (for example, wadding, gauze, bandages and similar articles for medical, surgical, dental or veterinary purposes, sterile surgical suture materials); yarn used to clean between the teeth, in individual retail packages (dental floss), of heading 3306;"

(b). Subdivision (a) of note 1 to section XI is modified by deleting the word "or".

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159. (con.)

(c). Subdivision (t) of note 1 to section XI is modified by deleting the period (".") at the end thereof and inserting a semicolon (";") in lieu thereof.

(d). The following new subdivisions (u) and (v) of note 1 to section XI are inserted in alphabetical sequence:

"(u) Articles of chapter 96 (for example, brushes, travel sets for sewing, slide fasteners and typewriter ribbons); or"

"(v) Articles of chapter 97."

160. Subdivision (b) of note 5 to section XI is modified to read as follows:

"(b) Dressed for use as sewing thread; and"

161. Subdivision (f) of note 7 to section XI is modified to read as follows:

"(f) Knitted or crocheted to shape, whether presented as separate items or in the form of a number of items in the length."

162. Note 8 to section XI is modified to read as follows:

"8. For the purposes of chapters 50 to 60:

(a) Chapters 50 to 55 and 60 and, except where the context otherwise requires, chapters 56 to 59 do not apply to goods made up within the meaning of note 7 above; and

(b) Chapters 50 to 55 and 60 do not apply to goods of chapters 56 to 59."

163. Note 13 to section XI is modified by inserting the following new final sentence:

"For the purposes of this note, the expression "textile garments" means garments of headings 6101 to 6114 and headings 6201 to 6211."

164. Subdivision (B)(c) of subheading note 2 to section XI is modified to read as follows:

"(c) In the case of embroidery of heading 5810 and goods thereof, only the ground fabric shall be taken into account. However, embroidery without visible ground, and goods thereof, shall be classified with reference to the embroidering threads alone."

165. Note 1 to chapter 52 is modified to read as follows:

"For the purposes of subheadings 5209.42 and 5211.42, the expression "denim" means fabrics of yarns of different colors, of 3-thread or 4-thread twill, including broken twill, warp faced, the warp yarns of which are of one and the same color and the weft yarns of which are unbleached, bleached, dyed grey or colored a lighter shade of the color of the warp yarns."

Conforming change: The title "Note" is deleted and the title "Subheading Note" is inserted in lieu thereof.

166. Subheading 5205.25.00 is superseded by the following:

[Cotton....]				
[Single....]				
5205.26.00	Measuring less than 125 decitex but not less than 106.38 decitex (exceeding 80 metric number but not exceeding 94 metric number).....	12%	Free (IL) 2.4% (CA) 6.3% (MX)	34.1%
5205.27.00	Measuring less than 106.38 decitex but not less than 83.33 decitex (exceeding 94 metric number but not exceeding 120 metric number).....	12%	Free (IL) 2.4% (CA) 6.3% (MX)	34.1%
5205.28.00	Measuring less than 83.33 decitex (exceeding 120 metric number).....	12%	Free (IL) 2.4% (CA) 6.3% (MX)	34.1%

167. Subheading 5205.45.00 is superseded by the following:

[Cotton....]				
[Multiple....]				
5205.46.00	Measuring per single yarn less than 125 decitex but not less than 106.38 decitex (exceeding 80 metric number but not exceeding 94 metric number).....	12%	Free (IL) 2.4% (CA) 6.3% (MX)	34.1%
5205.47.00	Measuring per single yarn less than 106.38 decitex but not less than 83.33 decitex (exceeding 94 metric number but not exceeding 120 metric number).....	12%	Free (IL) 2.4% (CA) 6.3% (MX)	34.1%
5205.48.00	Measuring per single yarn less than 83.33 decitex (exceeding 120 metric number).....	12%	Free (IL) 2.4% (CA) 6.3% (MX)	34.1%

168. The article description of subheading 5209.42.00 is modified by deleting the expression "Blue denim" and inserting the word "Denim" in lieu thereof.

169. The article description of subheading 5211.42.00 is modified by deleting the expression "Blue denim" and inserting the word "Denim" in lieu thereof.

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170. Subheadings 5407.60 through 5407.60.99 are superseded by the following:

[Woven...]

"Other woven fabrics, containing 85 percent or more by weight of polyester filaments:

5407.61

Containing 85 percent or more by weight of non-textured polyester filaments:

Dyed, measuring less than 77 cm in width or less than 77 cm between selvages, the thread count of which per cm (treating multiple (folded) or cabled yarns as single threads) is over 69 but not over 142 in the warp and over 31 but not over 71 in the filling:

5407.61.11

Wholly of polyester, of single yarns measuring not less than 75 decitex but not more than 80 decitex, having 24 filaments per yarn and with a twist of 900 or more turns per meter.....

23.3c/kg +  
21.6%

Free (IL)  
4.8c/kg +  
4.5% (CA)  
10.6% (HK)

24.3c/kg +  
81%

5407.61.19

Other.....

23.3c/kg +  
21.6%

Free (IL)  
4.8c/kg +  
4.5% (CA)  
10.6% (HK)

24.3c/kg +  
81%

Of yarns of different colors, the thread count of which per cm (treating multiple (folded) or cabled yarns as single threads) is over 69 but not over 142 in the warp and over 31 but not over 71 in the filling:

5407.61.21

Wholly of polyester, of single yarns measuring not less than 75 decitex but not more than 80 decitex, having 24 filaments per yarn and with a twist of 900 or more turns per meter.....

21.9c/kg +  
20.3%

Free (IL)  
4.8c/kg +  
4.5% (CA)  
10.6% (HK)

24.3c/kg +  
81%

5407.61.29

Other.....

21.9c/kg +  
20.3%

Free (IL)  
4.8c/kg +  
4.5% (CA)  
10.6% (HK)

24.3c/kg +  
81%

170. (con.):

[Woven....]			
Other woven fabrics, containing 85 percent or more by weight of polyester filaments (con.):			
5407.61 (con.)	Containing 85 percent or more by weight of non-textured polyester filaments (con.):		
Other:			
5407.61.91	Wholly of polyester, of single yarns measuring not less than 75 decitex but not more than 80 decitex, having 24 filaments per yarn and with a twist of 900 or more turns per meter....	16.6%	Free (IL) 3.4% (CA) 8.4% (HK)
5407.61.99	Other.....	16.6%	Free (IL) 3.4% (CA) 8.4% (HK)
5407.69	Other:		
5407.69.10	Unbleached or bleached.....	16.6%	Free (IL) 3.4% (CA) 8.4% (HK)
5407.69.20	Dyed.....	16.6%	Free (IL) 3.4% (CA) 8.4% (HK)
5407.69.30	Of yarns of different colors: The thread count of which per cm (treating multiple (folded) or cabled yarns as single threads) is over 69 but not over 142 in the warp and over 31 but not over 71 in the filling.....	19.4c/kg + 18%	Free (IL) 4.8c/kg + 4.3% (CA) 10.6% (HK)
5407.69.40	Other.....	15.3%	Free (IL) 3.4% (CA) 8.4% (HK)
5407.69.90	Printed.....	16.6%	Free (IL) 3.4% (CA) 8.4% (HK)

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171. Heading 5603.00 and subheadings 5603.00.10 through 5603.00.90 are superseded by the following:

5603	Moreover, whether or not impregnated, coated, covered or laminated:			
	Of man-made filaments:			
5603.11.00	Weighing not more than 25 g/m <sup>2</sup> .....	7.5%	Free (B, IL) 2.5% (CA) 6.5% (MX)	74%
5603.12.00	Weighing more than 25 g/m <sup>2</sup> but not more than 70 g/m <sup>2</sup> .....	7.5%	Free (B, IL) 2.5% (CA) 6.5% (MX)	74%
5603.13.00	Weighing more than 70 g/m <sup>2</sup> but not more than 150 g/m <sup>2</sup> .....	7.5%	Free (B, IL) 2.5% (CA) 6.5% (MX)	74%
5603.14	Weighing more than 150 g/m <sup>2</sup> :			
5603.14.30	Laminated fabrics.....	9.6%	Free (IL) 3.2% (CA) 8% (MX)	83.5%
5603.14.90	Other.....	7.5%	Free (B, IL) 2.5% (CA) 6.5% (MX)	74%
	Other:			
5603.91.00	Weighing not more than 25 g/m <sup>2</sup> .....	7.5%	Free (B, IL) 2.5% (CA) 6.5% (MX)	74%
5603.92.00	Weighing more than 25 g/m <sup>2</sup> but not more than 70 g/m <sup>2</sup> .....	7.5%	Free (B, IL) 2.5% (CA) 6.5% (MX)	74%
5603.93.00	Weighing more than 70 g/m <sup>2</sup> but not more than 150 g/m <sup>2</sup> .....	7.5%	Free (B, IL) 2.5% (CA) 6.5% (MX)	74%
5603.94	Weighing more than 150 g/m <sup>2</sup> :			
5603.94.10	Floor covering underlays.....	2.7%	Free (B, IL) 0.6% (CA) 1.9% (MX)	40%
	Other:			
5603.94.30	Laminated fabrics.....	9.6%	Free (IL) 3.2% (CA) 8% (MX)	83.5%
5603.94.90	Other.....	7.5%	Free (B, IL) 2.5% (CA) 6.5% (MX)	74%

172. The article description of heading 5804 is modified by deleting the expression "in motifs:" and inserting the expression "in motifs, other than fabrics of heading 6002:" in lieu thereof.

173. Note 4 to chapter 59 is modified by inserting the word "and" after the semicolon in subdivision (b); replacing ";" and" in subdivision (c) with a period; deleting subdivision (d); and inserting the following new second paragraph after subdivision (c) and appearing at the same indentation level as that subdivision designation:

"This heading does not, however, apply to plates, sheets or strip of cellular rubber, combined with textile fabric, where the textile fabric is present merely for reinforcing purposes (chapter 40), or textile products of heading 5811."

174. Subdivision (a)(1) of note 7 to chapter 59 is modified to read as follows:

"(1) Textile fabrics, felt and felt-lined woven fabrics, coated, covered or laminated with rubber, leather or other material, of a kind used for card clothing, and similar fabrics of a kind used for other technical purposes, including narrow fabrics made of velvet impregnated with rubber, for covering weaving spindles (weaving beams);"

175. The article description of heading 5910.00 is modified to read as follows:

"Transmission or conveyor belts or belting, of textile material, whether or not impregnated, coated, covered or laminated with plastics, or reinforced with metal or other material;"

176. The article description of subheading 5911.10 is modified to read as follows:

"Textile fabrics, felt and felt-lined woven fabrics, coated, covered or laminated with rubber, leather or other material, of a kind used for card clothing, and similar fabrics of a kind used for other technical purposes, including narrow fabrics made of velvet impregnated with rubber, for covering weaving spindles (weaving beams);"

177. Subdivision (a) of note 3 to chapter 61 is modified to read as follows:

"(a) The term "suit" means a set of garments composed of two or three pieces made up, in respect of their outer surface, in identical fabric and comprising:

- one suit coat or jacket the outer shell of which, exclusive of sleeves, consists of four or more panels, designed to cover the upper part of the body, possibly with a tailored waistcoat in addition whose front is made from the same fabric as the outer surface of the other components of the set and whose back is made from the same fabric as the lining of the suit coat or jacket; and
- one garment designed to cover the lower part of the body and consisting of trousers, breeches or shorts (other than swimwear), a skirt or a divided skirt, having neither braces nor bibs.

All of the components of a "suit" must be of the same fabric construction, color and composition; they must also be of the same style and of corresponding or compatible size. However, these components may have piping (a strip of fabric sewn into the seam) in a different fabric.

If several separate components to cover the lower part of the body are presented together (for example, two pairs of trousers or trousers and shorts, or a skirt or divided skirt and trousers), the constituent lower part shall be one pair of trousers or, in the case of women's or girls' suits, the skirt or divided skirt, the other garments being considered separately.

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177. (con.):

The term "suit" includes the following sets of garments, whether or not they fulfill all the above conditions:

- morning dress, comprising a plain jacket (cutaway) with rounded tails hanging well down at the back and striped trousers;
- evening dress (tailcoat), generally made of black fabric, the jacket of which is relatively short at the front, does not close and has narrow skirts cut in at the hips and hanging down behind;
- dinner jacket suits, in which the jacket is similar in style to an ordinary jacket (though perhaps revealing more of the shirt front), but has shiny silk or imitation silk lapels."

178. Notes 5 through 9 to chapter 61 are redesignated as notes 6 through 10, respectively, and the following new note 5 is inserted:

"5. Heading 6109 does not cover garments with a drawstring, ribbed waistband or other means of tightening at the bottom of the garment."

179. Subheading 6115.12.00 is superseded by the following:

[Panty....]			
[Panty....]			
6115.12	Of synthetic fibers, measuring per single yarn 67 decitex or more:		
6115.12.10	Surgical panty hose with graduated compression for orthopedic treatment.....	3.5%	Free (A,E,IL,J, MX) 40% 1.1% (CA)
6115.12.20	Other.....	16.6%	Free (IL) 72% 3.4% (CA) 8.4% (MX)

180. Subheadings 6115.19.10 and 6115.19.90 are superseded by the following:

[Panty....]			
[Panty....]			
[Of other....]			
6115.19.20	Surgical panty hose with graduated compression for orthopedic treatment.....	3.5%	Free (A,E,IL,J, MX) 40% 1.1% (CA)
6115.19.40	Other: Containing 70 percent of more by weight of silk or silk waste.....	14.1%	Free (E,IL,J) 90% 3.4% (CA) 8.4% (MX)
6115.19.80	Other.....	16.8%	Free (E*,IL) 90% 3.4% (CA) 8.4% (MX)



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181. Subheadings 6115.92.10 and 6115.92.20 are superseded by the following:

6115.92.30	[Panty....:]			
	[Other:]			
	[Of cotton:]			
	Surgical stockings with graduated compression for orthopedic treatment.....	3.5%	Free (A,E,IL,J, HK) 1.1% (CA)	40%
	Other:			
6115.92.60	Containing lace or not.....	18%	Free (IL) 4% (CA) 9.6% (HK)	90%
6115.92.90	Other.....	14.2%	Free (IL) 2.8% (CA) 7.3% (HK)	51%

182. Subheadings 6115.93.10, 6115.93.15 and 6115.93.20 are superseded by the following:

6115.93.30	[Panty....:]			
	[Other:]			
	[Of synthetic fibers:]			
	Surgical stockings with graduated compression for orthopedic treatment.....	3.5%	Free (A,E,IL,J, HK) 1.1% (CA)	40%
	Other:			
6115.93.60	Containing lace or not.....	19.8%	Free (IL) 4% (CA) 9.8% (HK)	90%
6115.93.90	Other.....	15.3%	Free (IL) 3.1% (CA) 7.8% (HK)	51%

Conforming change: The article description of subheading 9905.90.09 is modified by deleting the expression "subheading 9021.19" and inserting the expression "subheading 6115.12.10, 6115.19.20, 6115.92.30, 6115.93.30 or 9021.19" in lieu thereof.

183. The article description of subheading 6116.10 is modified to read as follows:

"Impregnated, coated or covered with plastics or rubber:"

184. Subdivision (a) of note 3 to chapter 62 is modified to read as follows:

- "(a) The term "suit" means a set of garments composed of two or three pieces made up, in respect of their outer surface, in identical fabric and comprising:
- one suit coat or jacket the outer shell of which, exclusive of sleeves, consists of four or more panels, designed to cover the upper part of the body, possibly with a tailored waistcoat in addition whose front is made from the same fabric as the outer surface of the other components of the set and whose back is made from the same fabric as the lining of the suit coat or jacket; and
  - one garment designed to cover the lower part of the body and consisting of trousers, breeches or shorts (other than swimwear), a skirt or a divided skirt, having neither braces nor bibs.

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## 184. (con.):

All of the components of a "suit" must be of the same fabric construction, color and composition; they must also be of the same style and of corresponding or compatible size. However, these components may have piping (a strip of fabric sewn into the seam) in a different fabric.

If several separate components to cover the lower part of the body are presented together (for example, two pairs of trousers or trousers and shorts, or a skirt or divided skirt and trousers), the constituent lower part shall be one pair of trousers or, in the case of women's or girls' suits, the skirt or divided skirt, the other garments being considered separately.

The term "suits" includes the following sets of garments, whether or not they fulfill all the above conditions:

- morning dress, comprising a plain jacket (cutaway) with rounded tails hanging well down at the back and striped trousers;
- evening dress (tailcoat), generally made of black fabric, the jacket of which is relatively short at the front, does not close and has narrow skirts out in at the hips and hanging down behind;
- dinner jacket suits, in which the jacket is similar in style to an ordinary jacket (though perhaps revealing more of the shirt front), but has shiny silk or imitation silk lapels."

## 185. Subheading 6305.31.00 is superseded by the following:

[Sacks....]				
[Of man-made....]				
6305.32.00	Flexible intermediate bulk containers....	9.3%	Free (IL) 1.9% (CA) 5.1% (MX)	103%
6305.33.00	Other, of polyethylene or polypropylene strip or the like.....	9.3%	Free (IL) 1.9% (CA) 5.1% (MX)	103%

## 186(a). Subdivision (a) of note 1 to chapter 64 is modified to read as follows:

"(a) Disposable foot or shoe coverings of flimsy material (for example, paper, sheeting of plastics) without applied soles. These products are classified according to their constituent material;"

(b). Subdivisions (b) through (e) of note 1 to chapter 64 are redesignated as subdivisions (c) through (f), respectively, and the following new subdivision (b) is inserted:

"(b) Footwear of textile material, without an outer sole glued, sewn or otherwise affixed or applied to the upper (section XI);"

## 187. Note 2 to chapter 64 is modified to read as follows:

"2. For the purposes of heading 6406, the term "parts" does not include pags, protectors, eyelets, hooks, buckles, ornaments, braid, laces, pompons or other trimmings (which are to be classified in their appropriate headings) or buttons or other goods of heading 9606."

## 188. Note 3 to chapter 64 is modified to read as follows:

"3. For the purposes of this chapter:

- (a) The terms "rubber" and "plastics" include woven fabrics or other textile products with an external layer of rubber or plastics being visible to the naked eye; for the purpose of this provision, no account should be taken of any resulting change of color; and
- (b) The term "leather" refers to the goods of headings 4104 to 4109."

189(a). Subheading note 1 to chapter 64 is modified by deleting the expressions "6402.11" and "6403.11" and substituting the expressions "6402.12" and "6403.12", respectively, in lieu thereof.

(b). Subdivision (b) of such subheading note 1 is modified by inserting the expression "snowboard boots," after the expression "cross-country ski footwear,".

190. The article description of subheading 6401.92.30 is modified to read as follows:

"Ski-boots and snowboard boots"

191. Subheading 6402.11.00 is superseded by the following:

	[Other....]			
	[Sports....]			
"6402.12.00	Ski-boots, cross-country ski footwear and snowboard boots.....	3.6%	Free (IL, MX) 1.2% (CA)	35%

192. Subheadings 6403.11, 6403.11.30 and 6403.11.60 are superseded by the following:

	[Footwear...]			
	[Sports....]			
"6403.12	Ski-boots, cross-country ski footwear and snowboard boots:			
6403.12.30	Welt footwear.....	Free		20%
6403.12.60	Other.....	6%	Free (IL, MX) 2% (CA)	20%

193. Subheading 6810.20.00 is deleted.

194. The article description of heading 6815 is modified by deleting the expression "including articles of peat)" and inserting the expression "including carbon fibers, articles of carbon fibers and articles of peat)" in lieu thereof.

195. Subdivisions (b) through (l) of note 2 to chapter 69 are redesignated as subdivisions (c) through (m), respectively, and the following new subdivision (b) is inserted:

"(b) Articles of heading 6804;"

196. The article description of subheading 6903.10.00 is modified to read as follows:

"Containing by weight more than 50 percent of graphite or other carbon or of a mixture of these products"

197. The following new subheading 6909.12.00 is inserted in numerical sequence:

	[Ceramic....]			
	[Ceramic....]			
"6909.12.00	Articles having a hardness equivalent to 9 or more on the Mohs scale.....	6.4%	Free (A, E, IL, J, MX) 1.6% (CA)	45%

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198. Subdivision (c) of note 2 to chapter 70 is modified to read as follows:

"(c) The expression "~~absorbent, reflecting or non-reflecting layer~~" means a microscopically thin coating of metal or of a chemical compound (for example, metal oxide) which absorbs, for example, infrared light; or which improves the reflecting qualities of the glass while still allowing it to retain a degree of transparency or translucency; or which prevents light from being reflected on the surface of the glass."

199(a). The article description of heading 7003 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

(b). Subheading 7003.11.00 is redesignated as subheading 7003.12.00, and its article description is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

200(a). The article description of heading 7004 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

(b). Subheading 7004.10 is redesignated as subheading 7004.20, and its article description is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

(c). Subheading 7004.10.10 is redesignated as 7004.20.10, and its article description is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

(d). Subheadings 7004.10.20 and 7004.10.50 are redesignated as 7004.20.20 and 7004.20.50, respectively.

201(a). The article description of heading 7005 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

(b). Subheading 7005.10 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

202. Subheadings 7010.90 and 7010.90.05 through 7010.90.50 are superseded by the following:

[Carboys,....]			
7010.20	Stoppers, lids and other closures:		
7010.20.20	Produced by automatic machine.....	3.2%	Free (A,E,I,L,J, 25% PK) 0.7% (CA)
7010.20.30	Other.....	6.6%	Free (A,E,I,L,J, 75% PK) 1.5% (CA)

202. (con.):

[Carboys,...:] (con.)			
Other, of a capacity:			
7010.91	Exceeding 1 liter:		
7010.91.05	Serum bottles, vials and other pharmaceutical containers.....	Free	50¢/gross
	Containers (with or without their closures) of a kind used for the conveyance or packing of perfume or other toilet preparations; other containers if fitted with or designed for use with ground glass stoppers:		
7010.91.20	Produced by automatic machine.....	3.2%	Free (A,E,IL,J, PK) 0.7% (CA) 25%
7010.91.30	Other.....	6.6%	Free (A,E,IL,J, PK) 1.5% (CA) 75%
7010.91.50	Other containers (with or without their closures).....	Free	4.9%
7010.92	Exceeding 0.33 liter but not exceeding 1 liter:		
7010.92.05	Serum bottles, vials and other pharmaceutical containers.....	Free	50¢/gross
	Containers (with or without their closures) of a kind used for the conveyance or packing of perfume or other toilet preparations; other containers if fitted with or designed for use with ground glass stoppers:		
7010.92.20	Produced by automatic machine.....	3.2%	Free (A,E,IL,J, PK) 0.7% (CA) 25%
7010.92.30	Other.....	6.6%	Free (A,E,IL,J, PK) 1.5% (CA) 75%
7010.92.50	Other containers (with or without their closures).....	Free	4.9%
7010.93	Exceeding 0.15 liter but not exceeding 0.33 liter:		
7010.93.05	Serum bottles, vials and other pharmaceutical containers.....	Free	50¢/gross

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202. (con.):

[Carboys,...:] [con.]			
Other, of a capacity (con.):			
7010.93 (con.)	Exceeding 0.15 liter but not exceeding		
	0.33 liter (con.):		
	Containers (with or without their closures) of a kind used for the conveyance or packing of perfume or other toilet preparations; other containers if fitted with or designed for use with ground glass stoppers:		
7010.93.20	Produced by automatic machine.....	3.2%	Free (A,E,IL,J, NK) 0.7% (CA)
7010.93.30	Other.....	6.6%	Free (A,E,IL,J, NK) 1.5% (CA)
7010.93.50	Other containers (with or without their closures).....	Free	4.9%
7010.94	Not exceeding 0.15 liter:		
7010.94.05	Serum bottles, vials and other pharmaceutical containers.....	Free	50% gross
	Containers (with or without their closures) of a kind used for the conveyance or packing of perfume or other toilet preparations; other containers if fitted with or designed for use with ground glass stoppers:		
7010.94.20	Produced by automatic machine.....	3.2%	Free (A,E,IL,J, NK) 0.7% (CA)
7010.94.30	Other.....	6.6%	Free (A,E,IL,J, NK) 1.5% (CA)
7010.94.50	Other containers (with or without their closures).....	Free	4.9%

203. Subheadings 7019.10 through 7019.90.50 are superseded by the following:

[Glass....:]			
"Slivers, rovings, yarn and chopped strands:			
7019.11.00	Chopped strands, of a length of not more than 50 mm.....	5.7%	Free (A,CA,E,IL, J,NK)
7019.12.00	Rovings.....	5.5%	Free (A,E,IL,J, NK) 1.2% (CA)

203. (con.):

	(Bless....) (con.)			
	Slivers, rovings, yarn and chopped strands (con.):			
7019.19	Other:			
	Yarns:			
	Not colored:			
7019.19.05	Fiberglass rubber reinforcing yarn, made from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....	Free		50%
7019.19.15	Other.....	7.2%	Free (CA, IL) 4.1% (HK)	50%
	Colored:			
7019.19.24	Fiberglass rubber reinforcing yarn, made from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....	Free		60%
7019.19.28	Other.....	9.1%	Free (CA, IL) 5.2% (HK)	60%
7019.19.38	Chopped strands, of a length more than 50 mm.....	5.7%	Free (A, CA, E, IL, J, HK)	50%
7019.19.70	Fiberglass rubber reinforcing cord, made from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....	Free		50%
7019.19.90	Other.....	4.2%	Free (CA, E*, IL, J*) 2.4% (HK)	50%

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203. (con.):

(Glass....) (con.)					
Thin sheets (velles), uaba, mats, mattresses, boards and similar nonwoven products:					
7019.31.00	Mats.....	5.4%	Free (A,B,CA,E, IL,J,NK)	50%	
7019.32.00	Thin sheets (velles).....	5.4%	Free (A,B,E,IL, J,NK)	50%	
7019.39	Other:		1.2% (CA)		
7019.39.10	Insulation products.....	5.7%	Free (A,B,E,IL, J,NK)	50%	
			1.2% (CA)		
7019.39.50	Other.....	5.7%	Free (A,B,E,IL, J,NK)	50%	
			1.2% (CA)		
7019.40	Woven fabrics of rovings:				
	Of a width not exceeding 30 cm:				
7019.40.05	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....			Free	50%
7019.40.15	Other.....	6%	Free (IL)	50%	
			1.2% (CA)		
			3.3% (NK)		
	Other:				
	Not colored:				
7019.40.30	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....			Free	50%
7019.40.40	Other.....	8.1%	Free (IL)	50%	
			1.6% (CA)		
			4.5% (NK)		
	Colored:				
7019.40.70	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....			Free	60%
7019.40.90	Other.....	10.3%	Free (IL)	60%	
			2.2% (CA)		
			5.9% (NK)		



203. (con.):

(Glass....) (con.)

Other woven fabrics:			
Of a width not exceeding 30 cm:			
7019.51	Fiberglass tire cord fabric woven		
7019.51.10	from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds..... Free		
			50%
7019.51.90	Other.....	6%	Free (IL) 1.2% (CA) 3.3% (HK)
			50%
Of a width exceeding 30 cm, plain weave, weighing less than 250 g/m <sup>2</sup> , of filaments measuring per single yarn not more than 136 tex:			
Not colored:			
7019.52.30	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds..... Free		
			50%
7019.52.40	Other.....	8.1%	Free (IL) 1.6% (CA) 4.5% (HK)
			50%
Colored:			
7019.52.70	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds..... Free		
			60%
7019.52.90	Other.....	10.3%	Free (IL) 2.2% (CA) 5.9% (HK)
			60%

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## Annex II (con.)

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203. (con.):

[Glass....:] (con.)

Other woven fabrics (con.):

7019.59

Other:

Not colored:

7019.59.30

Fiberglass tire cord fabric  
woven from electrically  
nonconductive continuous  
fiberglass filaments 9  
microns in diameter to 11  
microns in diameter and  
impregnated with resorcinol  
formaldehyde latex treatment  
for adhesion to polymeric  
compounds..... Free

50%

7019.59.40

Other..... 8.1%

Free (IL)

50%

1.6% (CA)

4.5% (HK)

Colored:

7019.59.70

Fiberglass tire cord fabric  
woven from electrically  
nonconductive continuous  
fiberglass filaments 9  
microns in diameter to 11  
microns in diameter and  
impregnated with resorcinol  
formaldehyde latex treatment  
for adhesion to polymeric  
compounds..... Free

60%

7019.59.90

Other..... 10.3%

Free (IL)

60%

2.2% (CA)

5.9% (HK)

7019.90

Other:

7019.90.10

Woven..... 6.1%

Free (E,IL,J,HK)

60%

1.3% (CA)

7019.90.50

Other..... 5.4%

Free (A,B,E,IL,

50%

J,HK)

1.2% (CA)

Conforming change: Additional U.S. note 6 to chapter 70 is deleted.

204(a). Subdivisions (d) through (o) of note 3 to chapter 71 are redesignated as (e) through (p), respectively, and the following new subdivision (d) is inserted:

"(d) Supported catalysts (heading 3815);"

(b). Subdivision (e) (as redesignated) of note 3 to chapter 71 is modified to read as follows:

"(e) Articles of heading 4202 or 4203 referred to in note 2(8) to chapter 42;"

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205. Notes 8, 9 and 10 to chapter 71 are redesignated as notes 9, 10 and 11, respectively, and the following new note 8 is inserted in numerical sequence:

"8. Subject to note 1(a) to section VI, goods answering to a description in heading 7112 are to be classified in that heading and in no other heading of the tariff schedule."

Conforming change: Note 11 (as redesignated) to chapter 71 is modified by deleting the expression "note 8" and inserting the expression "note 9" in lieu thereof.

206(a). The article description of heading 7101 is modified by deleting the expression "ungraded".

(b). Subheadings 7101.10.00 and 7101.22.00 are superseded by the following:

(Pearls,....)				
"7101.10	Natural pearls:			
7101.10.30	Graded and temporarily strung for convenience of transport.....	Free		10%
7101.10.60	Other.....	Free		10%
(Cultured pearls:)				
7101.22	Worked:			
7101.22.30	Graded and temporarily strung for convenience of transport.....	1.3%	Free (A,CA,E, IL,J,PX)	10%
7101.22.60	Other.....	1.3%	Free (A,CA,E, IL,J,PX)	10%

207. The article description of heading 7112 is modified by deleting the expression "clad with precious metal:" and inserting the following in lieu thereof:

"clad with precious metal; other waste and scrap containing precious metal or precious metal compounds, of a kind used principally for the recovery of precious metal:"

208. Subheadings 7116.10.15 and 7116.10.20 are superseded by the following:

(Articles....)				
(Of....)				
"7116.10.25	Cultured.....	8.8%	Free (A,CA,E IL,J,PX)	110%

209. Notes 3 through 6 to section XV are redesignated as 5 through 8, respectively, and the following new section notes 3 and 4 are inserted in numerical sequence:

"3. Throughout the schedule, the expression "base metals" means: iron and steel, copper, nickel, aluminum, lead, zinc, tin, tungsten (wolfram), molybdenum, tantalum, magnesium, cobalt, bismuth, cadmium, titanium, zirconium, antimony, manganese, beryllium, chromium, germanium, vanadium, gallium, hafnium, indium, niobium (columbium), rhenium and thallium.

4. Throughout the schedule, the term "ceramets" means products containing a microscopic heterogeneous combination of a metallic component and a ceramic component. The term "ceramets" includes sintered metal carbides (metal carbides sintered with a metal)."

210. Note 6 and note 7(b) (as redesignated) to section XV are each modified by deleting the expression "note 3" and inserting the expression "note 5" in lieu thereof.

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211. Additional U.S. note 1 to section XV is deleted, and additional U.S. note 2 is redesignated as additional U.S. note 1 and the title "Additional U.S. Notes" modified to read "Additional U.S. Note".

212(a). Subdivision (1) of note 1 to chapter 72 is modified to read as follows:

"(1) Bars and rods, hot-rolled, in irregularly wound coils

Hot-rolled products in irregularly wound coils, which have a solid cross-section in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles or other convex polygons (including "flattened circles" and "modified rectangles", of which two opposite sides are convex arcs, the other two sides being straight, of equal length and parallel). These products may have indentations, ribs, grooves or other deformations produced during the rolling process (reinforcing bars and rods)."

(b). Subdivision (m) of note 1 to chapter 72 is modified to read as follows:

"(m) Other bars and rods

Products which do not conform to any of the definitions at (1j), (k) or (l) above or to the definition of wire, which have a uniform solid cross-section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles or other convex polygons (including "flattened circles" and "modified rectangles", of which two opposite sides are convex arcs, the other two sides being straight, of equal length and parallel). These products may:

- have indentations, ribs, grooves or other deformations produced during the rolling process (reinforcing bars and rods);
- be twisted after rolling."

213. Subdivision (e) of subheading note 1 to chapter 72 is modified to read as follows:

"(e) Silico-manganese steel

Alloy steels containing by weight:

- not more than 0.7 percent of carbon,
- 0.5 percent or more but not more than 1.9 percent of manganese, and
- 0.6 percent or more but not more than 2.3 percent of silicon, but no other element in a proportion that would give the steel the characteristics of another alloy steel."

214. Subheadings 7201.30.00 and 7201.40.00 are superseded by the following:

(Pig...):

7201.30	Alloy pig iron; spiegeleisen:		
7201.30.30	Alloy pig iron.....	Free	\$1.11/t
7201.30.60	Spiegeleisen.....	0.1%	Free (CA, E, IL, J, 0.5%) (HK)

215. Heading 7208 (including its subordinate provisions) is superseded by the following:

*7208	Flat-rolled products of iron or nonalloy steel, of a width of 600 mm or more, hot-rolled, not clad, plated or coated:			
7208.10	In coils, not further worked than hot-rolled, with patterns in relief:			
7208.10.15	Pickled.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.44/kg + 20%
	Other:			
7208.10.30	Of a thickness of 4.75 mm or more.....	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%
7208.10.60	Of a thickness of less than 4.75 mm.....	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (MX)	20%
	Other, in coils, not further worked than hot-rolled, pickled:			
7208.25	Of a thickness of 4.75 mm or more:			
7208.25.30	Of high-strength steel.....	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%
7208.25.60	Other.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.44/kg + 20%
7208.26.00	Of a thickness of 3 mm or more but less than 4.75 mm.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.44/kg + 20%
7208.27.00	Of a thickness of less than 3 mm.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.44/kg + 20%
	Other, in coils, not further worked than hot-rolled:			
7208.36.00	Of a thickness exceeding 10 mm.....	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%
7208.37.00	Of a thickness of 4.75 mm or more but not exceeding 10 mm.....	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%
7208.38.00	Of a thickness of 3 mm or more but less than 4.75 mm.....	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (MX)	20%
7208.39.00	Of a thickness of less than 3 mm.....	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (MX)	20%
7208.40	Not in coils, not further worked than hot-rolled, with patterns in relief:			
7208.40.30	Of a thickness of 4.75 mm or more.....	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%
7208.40.60	Of a thickness less than 4.75 mm.....	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (MX)	20%

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215. (con.):

7208 (con.)	Flat-rolled products of iron or nonalloy steel, of a width of 600 mm or more, hot-rolled, not clad, plated or coated (con.): Other, not in coils, not further worked than hot-rolled:			
7208.51.00	Of a thickness exceeding 10 mm.....	4.8%	Free (E, IL, J) 1.2% (CA) 4.2% (HK)	20%
7208.52.00	Of a thickness of 4.75 mm or more but not exceeding 10 mm.....	4.8%	Free (E, IL, J) 1.2% (CA) 4.2% (HK)	20%
7208.53.00	Of a thickness of 3 mm or more but less than 4.75 mm.....	3.9%	Free (E, IL, J) 0.9% (CA) 3.4% (HK)	20%
7208.54.00	Of a thickness of less than 3 mm.....	3.9%	Free (E, IL, J) 0.9% (CA) 3.4% (HK)	20%
7208.90.00	Other.....	4%	Free (E, IL, J) 1% (CA) 3.5% (HK)	20%

216. Heading 7209 (including its subordinate provisions) is superseded by the following:

7209	Flat-rolled products of iron or nonalloy steel, of a width of 600 mm or more, cold-rolled (cold-reduced), not clad, plated or coated: In coils, not further worked than cold-rolled (cold-reduced):			
7209.15.00	Of a thickness of 3 mm or more.....	4.1%	Free (E, IL, J) 1% (CA) 3.5% (HK)	0.44/kg + 20%
7209.16.00	Of a thickness exceeding 1 mm but less than 3 mm.....	4.1%	Free (E, IL, J) 1% (CA) 3.5% (HK)	0.44/kg + 20%
7209.17.00	Of a thickness of 0.5 mm or more but not exceeding 1 mm.....	4.1%	Free (E, IL, J) 1% (CA) 3.5% (HK)	0.44/kg + 20%
7209.18	Of a thickness of less than 0.5 mm:			
7209.18.15	Of high-strength steel.....	4.1%	Free (E, IL, J) 1% (CA) 3.5% (HK)	0.44/kg + 20%
	Other:			
7209.18.25	Of a thickness of less than 0.361 mm (blackplate).....	2.6%	Free (E, IL, J) 0.6% (CA) 2.2% (HK)	20%
7209.18.60	Other.....	4.1%	Free (E, IL, J) 1% (CA) 3.5% (HK)	0.44/kg + 20%

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## 216. (con.):

7209 (con.) Flat-rolled products of iron or nonalloy steel, of a width of 600 mm or more, cold-rolled (cold-reduced), not clad, plated or coated (con.): Not in coils, not further worked than cold-rolled (cold-reduced):				
7209.25.00	Of a thickness of 3 mm or more.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (HK)	0.44/kg + 20%
7209.26.00	Of a thickness exceeding 1 mm but less than 3 mm.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (HK)	0.44/kg + 20%
7209.27.00	Of a thickness of 0.5 mm or more but not exceeding 1 mm.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (HK)	0.44/kg + 20%
7209.28.00	Of a thickness of less than 0.5 mm.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (HK)	0.44/kg + 20%
7209.90.00	Other.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (HK)	0.44/kg + 200%

217. Subheadings 7210.31.00 and 7210.39.00 and the superior text thereto reading "Electrolytically plated or coated with zinc:" are superseded by the following:

[Flat-rolled....]				
7210.30.00	Electrolytically plated or coated with zinc.....	5.2%	Free (E,IL,J) 1.3% (CA) 4.5% (HK)	21.53%

218. Subheading 7210.60.00 is superseded by the following:

	[Flat-rolled....]			
	Plated or coated with aluminum:			
7210.61.00	Plated or coated with aluminum-zinc alloys.....	5.2%	Free (E,IL,J) 1.3% (CA) 4.5% (HK)	21.5%
7210.69.00	Other.....	5.2%	Free (E,IL,J) 1.3% (CA) 4.5% (HK)	21.5%

219. Heading 7211 (including its subordinate provisions) is superseded by the following:

7211 Flat-rolled products of iron or nonalloy steel, of a width of less than 600 mm, not clad, plated or coated:				
Not further worked than hot-rolled:				
7211.13.00	Universal mill plate.....	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (HK)	20%
7211.14.00	Other, of a thickness of 4.75 mm or more.....	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (HK)	20%

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219. (con.):

7211 (con.)	Flat-rolled products of iron or nonalloy steel, of a width of less than 600 mm, not clad, plated or coated (con.): Not further worked than hot-rolled (con.):			
7211.19	Other:			
7211.19.15	Of a width of less than 300 mm Of high-strength steel.....	4.6%	Free (E,IL,J) 1.1% (CA) 3.9% (HK)	25%
7211.19.20	Other: Of a thickness exceeding 1.25 mm.....	4.6%	Free (E,IL,J) 1.1% (CA) 3.9% (HK)	25%
7211.19.30	Other.....	2.7%	Free (E,IL,J) 0.6% (CA) 2.3% (HK)	25%
7211.19.45	Other: Of high-strength steel.....	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (HK)	20%
7211.19.60	Other: Pickled.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (HK)	0.44/kg + 20%
7211.19.75	Other.....	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (HK)	20%
7211.23	Not further worked than cold-rolled (cold-reduced): Containing by weight less than 0.25 percent of carbon: Of a width of less than 300 mm: Of a thickness exceeding 1.25 mm			
7211.23.15	Of high-strength steel.....	2.7%	Free (E,IL,J) 0.6% (CA) 2.3% (HK)	25%
7211.23.20	Other.....	4.6%	Free (E,IL,J) 1.1% (CA) 3.9% (HK)	25%
7211.23.30	Of a thickness exceeding 0.25 mm but not exceeding 1.25 mm.....	2.7%	Free (E,IL,J) 0.6% (CA) 2.3% (HK)	25%
7211.23.45	Of a thickness not exceeding 0.25 mm.....	1.9%	Free (E,IL,J) 0.4% (CA) 1.6% (HK)	25%
7211.23.60	Other.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (HK)	0.44/kg + 20%



## 219. (con.):

7211 (con.) Flat-rolled products of iron or nonalloy steel,  
of a width of less than 600 mm, not clad,  
plated or coated (con.):

Not further worked than cold-rolled  
(cold-reduced) (con.):

7211.29	Other:			
	Of a width of less than 300 mm			
7211.29.20	Of a thickness exceeding 0.25 mm.....	2.7%	Free (E,IL,J) 0.6% (CA) 2.3% (HK)	25%
7211.29.45	Other.....	1.9%	Free (E,IL,J) 0.4% (CA) 1.6% (HK)	25%
7211.29.60	Other.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (HK)	0.46/kg + 20%
7211.90.00	Other.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (HK)	200%

220. Subheadings 7212.21.00 and 7212.29.00 and the superior text thereto reading  
"Electrolytically plated or coated with zinc:" are superseded by the following:

[Flat-rolled....]

"7212.20.00	Electrolytically plated or coated with zinc.....	5.2%	Free (E,IL,J) 1.3% (CA) 4.5% (HK)	21.50%
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221. Heading 7213 (including its subordinate provisions) is superseded by the  
following:

"7213	Bars and rods, hot-rolled, in irregularly wound coils, of iron or nonalloy steel:			
7213.10.00	Concrete reinforcing bars and rods.....	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (HK)	20%
7213.20.00	Other, of free-cutting steel.....	1.5%	Free (E,IL,J) 0.3% (CA) 1.3% (HK)	5.5%
7213.91	Other:			
	Of circular cross section measuring less than 14 mm in diameter:			
7213.91.30	Not tempered, not treated and not partly manufactured.....	1.5%	Free (E,IL,J) 0.3% (CA) 1.3% (HK)	5.5%
7213.91.45	Other:			
	Containing by weight 0.6 percent or more of carbon.....	1.5%	Free (E,IL,J) 0.3% (CA) 1.3% (HK)	5.5%
7213.91.60	Other.....	1.8%	Free (E,IL,J) 0.4% (CA) 1.6% (HK)	6%
7213.99.00	Other.....	1.5%	Free (E,IL,J) 0.3% (CA) 1.3% (HK)	5.50%

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222. Subheadings 7214.30.00 through 7214.60.00 are superseded by the following:

[Other....]				
*7214.30.00	Other, of free-cutting steel.....	3.8%	Free (E,IL,J) 0.9% (CA) 3.2% (NK)	20%
Other:				
7214.91.00	Of rectangular (other than square) cross section.....	3.8%	Free (E,IL,J) 0.9% (CA) 3.2% (NK)	20%
7214.99.00	Other.....	3.8%	Free (E,IL,J) 0.9% (CA) 3.2% (NK)	20%

223. Subheadings 7215.20.00, 7215.30.00, and 7215.40.00 are superseded by the following:

[Other....]				
*7215.50.00	Other, not further worked than cold-formed or cold-finished.....	6%	Free (E,IL,J) 1.5% (CA) 5.2% (NK)	0.34/kg + 200*

224. Subheadings 7216.60.00 and 7216.90.00 are superseded by the following:

[Angles,....]				
*Angles, shapes and sections, not further worked than cold-formed or cold-finished:				
7216.61.00	Obtained from flat-rolled products.....	3.9%	Free (A,E,IL,J, NK) 0.9% (CA)	20%
7216.69.00	Other.....	3.9%	Free (A,E,IL,J, NK) 0.9% (CA)	20%
Other:				
7216.91.00	Cold-formed or cold-finished from flat-rolled products.....	3.5%	Free (E,IL,J) 0.6% (CA) 3% (NK)	20%
7216.99.00	Other.....	3.5%	Free (E,IL,J) 0.6% (CA) 3% (NK)	20%

225. Heading 7217 (including its subordinate provisions) is superseded by the following:

7217	Wire of iron or nonalloy steel:			
7217.10	Not plated or coated, whether or not polished:			
	Containing by weight less than 0.25 percent of carbon:			
	Flat wire:			
7217.10.10	Of a thickness not exceeding 0.25 mm.....	3.4%	Free (E,IL,J) 0.8% (CA) 2.9% (MX)	25%
7217.10.20	Of a thickness exceeding 0.25 mm but not exceeding 1.25 mm .....	2.6%	Free (E,IL,J) 0.6% (CA) 2.2% (MX)	25%
7217.10.30	Of a thickness exceeding 1.25 mm.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	25%
	Round wire:			
7217.10.40	With a diameter of less than 1.5 mm.....	4.2%	Free (E,IL,J) 1% (CA) 3.7% (MX)	25%
7217.10.50	With a diameter of 1.5 mm or more.....	1.2%	Free (E,IL,J) 0.3% (CA) 1% (MX)	7%
7217.10.60	Other wire.....	4.4%	Free (E,IL,J) 1.1% (CA) 3.8% (MX)	25%
	Other:			
7217.10.70	Flat wire.....	2.6%	Free (E,IL,J) 0.6% (CA) 2.2% (MX)	25%
7217.10.80	Round wire.....	4.2%	Free (E,IL,J) 1% (CA) 3.7% (MX)	25%
7217.10.90	Other wire.....	4.4%	Free (E,IL,J) 1.1% (CA) 3.8% (MX)	25%
7217.20	Plated or coated with zinc:			
7217.20.15	Flat wire.....	4.2%	Free (E,IL,J) 1% (CA) 3.6% (MX)	26%
	Round wire:			
7217.20.30	With a diameter of 1.5 mm or more and containing by weight less than 0.25 percent of carbon.....	1.2%	Free (E,IL,J) 0.3% (CA) 1% (MX)	7%
7217.20.45	Other.....	4.2%	Free (E,IL,J) 1% (CA) 3.7% (MX)	25%
	Other:			
7217.20.60	Containing by weight less than 0.25 percent of carbon.....	4.5%	Free (E,IL,J) 1.1% (CA) 3.9% (MX)	25%
7217.20.75	Other.....	4.2%	Free (E,IL,J) 1% (CA) 3.6% (MX)	26%

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225. (con.):

7217 (con.) Wire of iron or nonalloy steel (con.):

7217.30	Plated or coated with other base metals:			
7217.30.15	Flat wire.....	4.2%	Free (E,IL,J) 1% (CA) 3.6% (HK)	26%
7217.30.30	Round wire: With a diameter of 1.5 mm or more and containing by weight less than 0.25 percent of carbon.....	1.2%	Free (E,IL,J) 0.3% (CA) 1% (HK)	7%
7217.30.45	Other.....	4.2%	Free (E,IL,J) 1% (CA) 3.7% (HK)	25%
7217.30.60	Other: Containing by weight less than 0.25 percent of carbon.....	4.5%	Free (E,IL,J) 1.1% (CA) 3.9% (HK)	25%
7217.30.75	Other.....	4.2%	Free (E,IL,J) 1% (CA) 3.6% (HK)	26%
7217.90	Other:			
7217.90.10	Coated with plastics.....	0.7%	Free (E,IL,J) 0.1% (CA) 0.6% (HK)	2%
7217.90.50	Other.....	4.2%	Free (E,IL,J) 1% (CA) 3.7% (HK)	35%*

226. Subheading 7218.90.00 is superseded by the following:

[Stainless....]

7218.91.00	Other: Of rectangular (other than square) cross-section.....	4.2%	Free (E,IL,J) 1% (CA) 3.6% (HK)	29%
7218.99.00	Other.....	4.2%	Free (E,IL,J) 1% (CA) 3.6% (HK)	29%*

227. Subheading 7222.10 is superseded by the following:

[Other....]

7222.11.00	*Bars and rods, not further worked than hot-rolled, hot-drawn or extruded: Of circular cross-section.....	8.5%	Free (E,IL,J) 2.1% (CA) 7.4% (HK)	29%
7222.19.00	Other.....	8.5%	Free (E,IL,J) 2.1% (CA) 7.4% (HK)	29%*

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228. Subheading 7225.10.00 is superseded by the following:

[Flat-rolled...]				
<sup>90</sup> Of silicon electrical steel:				
7225.11.00	Grain-oriented.....	4.6%	Free (CA,E,IL, J,NK)	28%
7225.19.00	Other.....	4.6%	Free (CA,E,IL, J,NK)	28%

229. Subheading 7225.90.00 is superseded by the following:

[Flat-rolled...]				
<sup>90</sup> Other:				
7225.91.00	Electrolytically plated or coated with zinc.....	4.6%	Free (A,E,IL,J, NK) 1.1% (CA)	28%
7225.92.00	Otherwise plated or coated with zinc.....	4.6%	Free (A,E,IL,J, NK) 1.1% (CA)	28%
7225.99.00	Other.....	4.6%	Free (A,E,IL,J, NK) 1.1% (CA)	28%

230. Subheadings 7226.10, 7226.10.10 and 7226.10.50 are superseded by the following:

[Flat-rolled...]				
<sup>90</sup> Of silicon electrical steel:				
Grain-oriented:				
7226.11	Of a width of 300 mm or more.....	4.6%	Free (CA,E,IL, J,NK)	28%
7226.11.10	Of a width of less than 300 mm.....	5.6%	Free (CA,E,IL, J,NK)	33%
Other:				
7226.19	Of a width of 300 mm or more.....	4.6%	Free (CA,E,IL, J,NK)	28%
7226.19.10	Of a width of less than 300 mm.....	5.6%	Free (CA,E,IL, J,NK)	33%

231. The following new subheadings 7226.93.00 and 7226.94.00 are inserted in numerical sequence:

[Flat-rolled...]				
<sup>90</sup> Other:				
7226.93.00	Electrolytically plated or coated with zinc.....	5%	Free (E,IL,J) 1.2% (CA) 4.4% (NK)	33%
7226.94.00	Otherwise plated or coated with zinc.....	5%	Free (E,IL,J) 1.2% (CA) 4.4% (NK)	33%

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232. Subheadings 7304.20 through 7304.20.80 are superseded by the following:

[Tubes,....]				
"Casing, tubing and drill pipe, of a kind used in drilling for oil or gas:				
Drill pipe:				
7304.21				
7304.21.30	Of iron or nonalloy steel.....	6.4%	Free (E,IL,J) 1.6% (CA) 5.6% (HK)	25%
7304.21.60	Of alloy steel.....	6%	Free (E,IL,J) 1.3% (CA) 5.2% (HK)	35%
7304.29	Other:			
Casing:				
Of iron or nonalloy steel:				
7304.29.10	Threaded or coupled.....	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (HK)	20%
7304.29.20	Other.....	0.4%	Free (E,IL,J) 0.1% (CA) 0.3% (HK)	1%
Of alloy steel:				
7304.29.30	Threaded or coupled.....	5%	Free (E,IL,J) 1.2% (CA) 4.3% (HK)	20%
7304.29.40	Other.....	2.6%	Free (E,IL,J) 0.6% (CA) 2.3% (HK)	8.5%
Tubing:				
7304.29.50	Of iron or nonalloy steel.....	6.4%	Free (E,IL,J) 1.6% (CA) 5.6% (HK)	25%
7304.29.60	Of alloy steel.....	6%	Free (E,IL,J) 1.3% (CA) 5.2% (HK)	35%

233. The article description of heading 7305 is modified by deleting the expression "internal and external" before the expression "circular cross sections".

234. Subheadings 7314.11 (including its immediately superior text reading "Woven products:") through 7314.50.00, inclusive, are superseded by the following:

[Cloth,....]			
"Woven cloth:			
7314.12	Endless bands for machinery, of stainless steel:		
7314.12.10	With meshes not finer than 12 wires to the lineal centimeter in warp or filling.....	3.9%	Free (A,B,E,IL, J,HK) 35%
			0.9% (CA)
7314.12.20	With meshes finer than 12 but not finer than 36 wires to the lineal centimeter in warp or filling.....	3.9%	Free (A,B,E,IL, J,HK) 50%
			0.9% (CA)

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234. (con.):

[Cloth....] (con.)			
Woven cloth (con.):			
7314.12 (con.)	Endless bands for machinery, of stainless steel (con.): With meshes finer than 36 wires to the lineal centimeter in warp or filling: Fourdrinier wires, seamed or not seamed, suitable for use in papermaking machines: With 94 or more wires to the lineal centimeter.....	Free	75%
7314.12.30	Other.....	8%	Free (A,E,IL,J, HK) 2% (CA)
7314.12.60	Other.....	5.6%	Free (A,B,E,IL, J, HK) 1.4% (CA)
7314.12.90	Other.....	3.9%	Free (A,B,E,IL, J) 0.9% (CA) 3.4% (HK)
7314.13.00	Other endless bands for machinery.....	3.9%	Free (A,B,E,IL, J, HK) 0.9% (CA)
7314.14	Other woven cloth, of stainless steel:		
7314.14.10	With meshes not finer than 12 wires to the lineal centimeter in warp or filling.....	3.9%	Free (A,B,E,IL, J, HK) 0.9% (CA)
7314.14.20	With meshes finer than 12 but not finer than 36 wires to the lineal centimeter in warp or filling.....	3.9%	Free (A,B,E,IL, J, HK) 0.9% (CA)
	With meshes finer than 36 wires to the lineal centimeter in warp or filling: Fourdrinier wires, seamed or not seamed, suitable for use in papermaking machines: With 94 or more wires to the lineal centimeter.....	Free	75%
7314.14.30	Other.....	8%	Free (A,E,IL,J, HK) 2% (CA)
7314.14.60	Other.....	5.6%	Free (A,B,E,IL, J, HK) 1.4% (CA)
7314.14.90	Other.....	3.9%	Free (A,B,E,IL, J) 0.9% (CA) 3.4% (HK)
7314.19.00	Grill, netting and fencing, welded at the intersection, of wire with a maximum cross-sectional dimension of 3 mm or more and having a mesh size of 100 cm <sup>2</sup> or more.....	4.6%	Free (A,E,IL,J, HK) 1.1% (CA)

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234. (con.):

[Cloth....] (con.)

Other grill, netting and fencing, welded at the intersection:

7314.31	Plated or coated with zinc:			
7314.31.10	Wire fencing coated or plated with zinc, whether or not covered with plastics material.....	0.2c/kg	Free (CA,E,IL,J) 0.1c/kg (HK)	1.1c/kg
7314.31.50	Other.....	4.6%	Free (A,E,IL,J, HK) 1.1% (CA)	45%
7314.39.00	Other.....	4.6%	Free (A,E,IL,J, HK) 1.1% (CA)	45%
7314.41.00	Other cloth, grill, netting and fencing: Plated or coated with zinc.....	0.2c/kg	Free (CA,E,IL,J) 0.1c/kg (HK)	1.1c/kg
7314.42.00	Coated with plastics.....	0.2c/kg	Free (CA,E,IL,J) 0.1c/kg (HK)	1.1c/kg
7314.49	Other:			
7314.49.30	Not cut to shape.....	4.6%	Free (A,E,IL,J, HK) 1.1% (CA)	45%
7314.49.60	Cut to shape.....	3.8%	Free (A,B,E,IL, J,HK) 0.9% (CA)	35%
7314.50.00	Expanded metal.....	3%	Free (A,CA,E,IL, J,HK)	45%

235. Subheading 7414.10 is redesignated as subheading 7414.20, the article description "Endless bands, for machinery:" is deleted and "Cloth:" is inserted in lieu thereof, and subheadings 7414.10.30, 7414.10.60, and 7414.10.90 are redesignated as 7414.20.30, 7414.20.60, and 7414.20.90, respectively.

236. Subheadings 7418.10 through 7418.10.50 are superseded by the following:

[Table....]

"Table, kitchen or other household articles and parts thereof; pot scourers and scouring or polishing pads, gloves and the like:

7418.11	Pot scourers and scouring or polishing pads, gloves and the like:			
7418.11.20	Of copper-zinc base alloys (brass).....	3.4%	Free (A,E,IL,J, HK) 0.7% (CA)	40%
7418.11.40	Other.....	4.1%	Free (A,E,IL,J, HK) 0.9% (CA)	40%
7418.19	Other:			
7418.19.10	Coated or plated with precious metals.....	3.6%	Free (A,E,IL,J, HK) 0.8% (CA)	50%



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236. (con.):

[Table,....:] (con.)				
Table, kitchen or other household articles and parts thereof; pot scourers and scouring or polishing pads, gloves and the like (con.):				
7418.19 (con.)	Other (con.):			
	Other:			
7418.19.20	Of copper-zinc base alloys (brass)..... 3.4%			
		Free (A,E,IL,J, MK)	40%	
		0.7% (CA)		
7418.19.50	Other..... 4.1%			
		Free (A,E,IL,J, MK)	40%	
		0.9% (CA)		

237. The following new subheading note 2 to chapter 75 is added, and the title "Subheading Note" is modified to read "Subheading Notes":

"2. Notwithstanding the provisions of chapter note 1 (c), for the purposes of subheading 7508.10 the term "wire" applies only to products, whether or not in coils, of any cross-sectional shape, of which no cross-sectional dimension exceeds 6 mm."

238. Heading 7508.00 and subheadings 7508.00.10 and 7508.00.50 are superseded by the following:

"7508 Other articles of nickel:				
7508.10.00	Cloth, grill and netting, of nickel wire..... 4.5%			
		Free (A,B,E,IL, J,MK)	45%	
		1.1% (CA)		
7508.90	Other:			
7508.90.10	Stranded wire..... 4%			
		Free (A,B,E,IL, J,MK)	35%	
		0.9% (CA)		
7508.90.50	Other..... 4.5%			
		Free (A,B,E,IL, J,MK)	45%	
		1.1% (CA)		

239. The following new subheading note 2 to chapter 76 is added, and the title "Subheading Note" is modified to read "Subheading Notes":

"2. Notwithstanding the provisions of chapter note 1 (c), for the purposes of subheading 7615.91 the term "wire" applies only to products, whether or not in coils, of any cross-sectional shape, of which no cross-sectional dimension exceeds 6 mm."

240. Subheadings 7615.10 through 7615.10.90, inclusive, are superseded by the following:

[Table,....:]				
Table, kitchen or other household articles and parts thereof; pot scourers and scouring or polishing pads, gloves and the like:				
7615.11.00	Pot scourers and scouring or polishing pads, gloves and the like..... 3.5%			
		Free (A,E,IL,J, MK)	45.5%	
		0.7% (CA)		

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240. (con.):

[Table,...:] (con.)

Table, kitchen or other household articles  
and parts thereof; pot scourers and scouring  
or polishing pads, gloves and the  
like (con.):

7615.19	Other:			
	Cooking and kitchen ware:			
	Enameled or glazed or			
	containing nonstick interior			
	finishes:			
7615.19.10	Cast.....	3.6%	Free (A*,E,IL,J, HK) 0.7% (CA)	45.5%
7615.19.30	Other.....	4.7%	Free (A,E,IL,J, HK) 1.1% (CA)	45.5%
	Not enameled or glazed and			
	not containing nonstick			
	interior finishes:			
7615.19.50	Cast.....	3.6%	Free (A,E,IL,J, HK) 0.7% (CA)	45.5%
7615.19.70	Other.....	3.6%	Free (A,E,IL,J, HK) 0.8% (CA)	45.5%
7615.19.90	Other.....	3.5%	Free (A,E,IL,J, HK) 0.7% (CA)	45.5%

Conforming change: General note 4(d) is modified by deleting "7615.10.10 Thailand" and by inserting in lieu thereof "7615.19.10 Thailand".

241. Subheading 7616.90 and subheadings 7616.90.10 and 7616.90.50 are superseded by the following:

[Other:]

7616.91.00	Other:			
	Cloth, grill, netting and fencing,			
	of aluminum wire.....	4.4%	Free (A,B,E,IL, J,HK) 1.1% (CA)	45%
7616.99	Other:			
7616.99.10	Luggage frames.....	Free		45%
7616.99.50	Other.....	4.4%	Free (A,B,E,IL, J,HK) 1.1% (CA)	45%

242. Heading 7907 is redesignated as 7907.00, and subheadings 7907.10.00 through 7907.90.60 are superseded by the following:

[Other...]			
7907.00.10	Articles of a type used for household, table or kitchen use; toilet and sanitary wares; all the foregoing and parts thereof of zinc...	3.2%	Free (A,E,I,L,J, PM) 0.6% (CA)
7907.00.80	Other.....	4.6%	Free (A,B,E,I,L, J,PM) 1.1% (CA)

243. Heading 8005 is redesignated as 8005.00, and subheadings 8005.10.00 and 8005.20.00 are redesignated as 8005.00.10 and 8005.00.20, respectively.

244. Subheading 8202.32.00 is redesignated as 8202.39.00, and its article description is modified to read as follows:

"Other, including parts"

245(a). Subheadings 8207.11.00, 8207.12, 8207.12.30, and 8207.12.60 are redesignated as 8207.13.00, 8207.19, 8207.19.30, and 8207.19.60, respectively.

(b). The article description of subheading 8207.13.00 (as redesignated) is modified to read as follows:

"With working part of cermets"

(c). The article description of subheading 8207.19 is modified to read as follows:

"Other, including parts:"

246. The article description of heading 8209 is modified by deleting "sintered metal carbides or".

247(a). The article descriptions of subheadings 8211.91 and 8211.92 are each modified by deleting the expression ", and parts thereof".

(b). The article description of subheading 8211.91.60 is modified by deleting the expression "(including parts)"; such subheading is redesignated as 8211.91.80; and subheading 8211.92.80 is redesignated as 8211.92.90.

(c). The article description of subheading 8211.93.00 is modified by deleting the expression ", and parts thereof (except blades)".

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247. (con.)

(d). The following new subheadings are inserted in numerical sequence:

[Knives....]				
[Other:]				
Handles of base metal:				
8211.95	For table knives having fixed			
8211.95.10	blades.....	0.44 each + 5.6%	Free (A,E,IL, J,UK) 1.2% (CA)	8c each + 45%
8211.95.50	For other knives having fixed			
	blades.....	0.44 each + 6.1%	Free (A,E,IL, J,UK) 1.2% (CA)	8c each + 45%
8211.95.90	Other.....	3c each + 5.4%	Free (A,E,IL, J,UK) 8.5c each + 0.9% (CA)	35c each + 53%

248. Subdivision (o) of note 1 to section XVI is modified by deleting the expression "Interchangeable tools of heading 8207 or brushes of a kind used as parts of machines of heading 9603;" and by inserting in lieu thereof the following:

"Interchangeable tools of heading 8207 or brushes of a kind used as parts of machines (heading 9603);"

249(a). Subdivision (a) of note 2 to section XVI is modified by deleting the expression "(other than headings 8485 and 8548)" and inserting the expression "(other than headings 8409, 8431, 8448, 8466, 8473, 8485, 8503, 8522, 8529, 8538 and 8548)" in lieu thereof.

(b). Subdivision (b) of note 2 to section XVI is modified by deleting the expression "of that kind" and inserting the expression "of that kind or in heading 8409, 8431, 8448, 8466, 8473, 8503, 8522, 8529 or 8538 as appropriate".

(c). Subdivision (c) of note 2 to section XVI is modified to read as follows:

"(c) All other parts are to be classified in heading 8409, 8431, 8448, 8466, 8473, 8503, 8522, 8529 or 8538 as appropriate or, failing that, in heading 8485 or 8548."

250. Subdivision (b) of note 1 to chapter 84 is modified to read as follows:

"(b) Machinery or appliances (for example, pumps) of ceramic material and ceramic parts of machinery or appliances of any material (chapter 69);"

251. The following new last paragraph of note 2 to chapter 84 is inserted:

"Heading 8424 does not cover:

Ink-jet printing machines (heading 8443 or 8471)."

252. Note 4 to chapter 84 is modified to read as follows:

- "4. Heading 8457 applies only to machine tools for working metal, other than lathes (including turning centers), which can carry out different types of machining operations either:
  - (a) by automatic tool change from a magazine or the like in conformity with a machining program (machining centers),
  - (b) by the automatic use, simultaneously or sequentially, of different unit heads working on a fixed position workpiece (unit construction machines, single station), or
  - (c) by the automatic transfer of the workpieces to different unit heads (multi-station transfer machines)."

253. Subdivision (B) and the final paragraph of note 5 to chapter 84 are modified to read as follows:

- "(B) Automatic data processing machines may be in the form of systems consisting of a variable number of separate units. Subject to paragraph (E) below, a unit is to be regarded as being a part of a complete system if it meets all the following conditions:
  - (a) It is of a kind solely or principally used in an automatic data processing system;
  - (b) It is connectable to the central processing unit either directly or through one or more other units; and
  - (c) It is able to accept or deliver data in a form (codes or signals) which can be used by the system.
- (C) Separately presented units of an automatic data processing machine are to be classified in heading 8471.
- (D) Printers, keyboards, X-Y coordinate input devices and disk storage units which satisfy the conditions of paragraphs (B)(b) and (B)(c) above, are in all cases to be classified as units of heading 8471.
- (E) Machines performing a specific function other than data processing and incorporating or working in conjunction with an automatic data processing machine are to be classified in the headings appropriate to their respective functions or, failing that, in residual headings."

254. The following new note 8 to chapter 84 is inserted in numerical sequence:

- "8. For the purposes of heading 8470, the term "socket-size" applies only to machines the dimensions of which do not exceed 170 mm x 100 mm x 45 mm."

255. Subheading note 1 to chapter 84 is redesignated as subheading note 2, the existing title thereto is modified to read "Subheading Notes", and the following new subheading note 1 is inserted thereafter:

- "1. For the purposes of subheading 8471.49, the term "machine" means automatic data processing machines whose units satisfy the conditions laid down in note 5(B) to chapter 84 and which comprise at least a central processing unit, one input unit (for example, a keyboard or a scanner), and one output unit (for example, a visual display unit or a printer)."

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256. Subheadings 8406.11 (and the superior text thereto reading "Turbines:"), 8406.11.10, 8406.11.90, 8406.19, 8406.19.10 and 8406.19.90 are superseded by the following:

[Steam....]			
*8406.10	Turbines for marine propulsion:		
8406.10.10	Steam turbines.....	7.3%	Free (A,CA,E,IL, J,NK) 20%
8406.10.90	Other.....	2.7%	Free (A,CA,E,IL, J,NK) 27.5%
Other turbines:			
8406.81	Of an output exceeding 40 MW:		
8406.81.10	Steam turbines.....	7.3%	Free (A,CA,E,IL, J,NK) 20%
8406.81.90	Other.....	2.7%	Free (A,CA,E,IL, J,NK) 27.5%
8406.82	Of an output not exceeding 40 MW:		
8406.82.10	Steam turbines.....	7.3%	Free (A,CA,E,IL, J,NK) 20%
8406.82.90	Other.....	2.7%	Free (A,CA,E,IL, J,NK) 27.5%

257. The following new subheading 8415.20.00 is inserted in numerical sequence:

[Air....]			
*8415.20.00	Of a kind used for persons, in motor vehicles.....	1.9%	Free (A,B,CA,E, IL,J,NK) 35%

258. The article description of heading 8422 is modified to read as follows:

"Dishwashing machines; machinery for cleaning or drying bottles or other containers; machinery for filling, closing, sealing or labeling bottles, cans, boxes, bags or other containers; machinery for capsuling bottles, jars, tubes and similar containers; other packing or wrapping machinery (including heat-shrink wrapping machinery); machinery for aerating beverages; parts thereof:"

259. The article description of subheading 8422.30 is modified to read as follows:

"Machinery for filling, closing, sealing or labeling bottles, cans, boxes, bags or other containers; machinery for capsuling bottles, jars, tubes and similar containers; machinery for aerating beverages:"

260. The article description of subheading 8422.40 is modified to read as follows:

"Other packing or wrapping machinery (including heat-shrink wrapping machinery):"

261(a). The article description of heading 8443 is modified to read as follows:

"Printing machinery, including ink-jet printing machines, other than those of heading 8471; machines for uses ancillary to printing; parts thereof:"

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261. (con.)

(b). Subheadings 8443.50, 8443.50.10 and 8443.50.50 are superseded by the following:

[Printing....]			
"Other printing machinery:			
8443.51	Ink-jet printing machinery:		
8443.51.10	Textile printing machinery.....	4.1%	Free (A,CA,E,IL, J,NE)
8443.51.50	Other.....	2%	Free (A,CA,E,IL, J,NE)
8443.59	Other:		
8443.59.10	Textile printing machinery.....	4.1%	Free (A,CA,E,IL, J,NE)
8443.59.50	Other.....	2%	Free (A,CA,E,IL, J,NE)

262. Subheadings 8456.90 through 8456.90.80 are superseded by the following:

[Machine....]			
"Other:			
8456.91.00	For dry etching patterns on semiconductor materials.....	Free	35%
8456.99	Other:		
8456.99.10	For working metal:		
	Focused ion beam milling machines designed to produce or repair masks and reticles of semiconductor device designs.....	Free	30%
8456.99.30	Other.....	4%	Free (A,CA,E,IL, J,NE)
8456.99.50	Other.....	2.7%	Free (A,CA,E,IL, J,NE)

263. The article description of heading 8458 is modified by inserting the expression "(including turning centers)" after the word "Lathes".

264. The article description of heading 8459 is modified by inserting the expression "(including turning centers)" after the word "lathes".

265. The article description of heading 8460 is modified by deleting the expression ", sintered metal carbides".

266. The article description of heading 8461 is modified by deleting the expression ", sintered metal carbides".

267. The article description of heading 8463 is modified by deleting the expression ", sintered metal carbides".

268. The article description of heading 8467 is modified by inserting the word ", hydraulic" after the word "pneumatic".

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269(a). The article description of heading 8469 is modified to read as follows:

"Typewriters other than printers of heading 8471; word processing machines:"

(b). Subheadings 8469.10 through 8469.39.00 are superseded by the following:

(Typewriters....:)

"Automatic typewriters and word processing machines:

8469.11.00	Word processing machines.....	1.3%	Free (A,CA,E,IL, J,NK)	35%
8469.12.00	Automatic typewriters.....	1.3%	Free (A <sup>o</sup> ,CA,E,IL, J,NK)	35%
8469.20.00	Other typewriters, electric.....	Free		Free
8469.30.00	Other typewriters, nonelectric.....	Free		Free"

Conforming change: General note 4(d) is modified by deleting "8469.10.80 Indonesia" and by inserting in lieu thereof "8469.12.00 Indonesia".

270(a). The article description of heading 8470 is modified to read as follows:

"Calculating machines and pocket-size data recording, reproducing and displaying machines with calculating functions; accounting machines, postage-franking machines, ticket-issuing machines and similar machines, incorporating a calculating device; cash registers:"

(b). The article description of subheading 8470.10.00 is modified by deleting the expression "external source of power" and inserting the expression "external source of electric power and pocket-size data recording, reproducing and displaying machines with calculating functions" in lieu thereof.

271. Subheadings 8471.20.00 through 8471.99.90 are superseded by the following:

(Automatic....:)

8471.30.00	Portable digital automatic data processing machines, weighing not more than 10 kg, consisting of at least a central processing unit, a keyboard and a display.....	3.1%	Free (A,C,CA,E, IL,J,NK)	35%
	Other digital automatic data processing machines:			
8471.41.00	Comprising in the same housing at least a central processing unit and an input and output unit, whether or not combined.....	3.1%	Free (A,C,CA,E, IL,J,NK)	35%
8471.49	Other, entered in the form of systems:			
8471.49.10	Digital processing units entered with the rest of a system, whether or not containing in the same housing one or two of the following types of unit: storage units, input units, output units....	3.1%	Free (A,C,CA,E, IL,J,NK)	35%
	Input or output units, entered with the rest of a system, whether or not containing storage units in the same housing:			
8471.49.15	Combined input/output units....	2.2%	Free (A,C,CA,E, IL,J,NK)	35%



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271. (con.):

	(Automatic....) (con.)			
	Other digital automatic data processing machines (con.):			
8471.49 (con.)	Other, entered in the form of system (con.):			
	Input or output units, entered with the rest of a system, whether or not containing storage units in the same housing (con.):			
	Other:			
8471.49.21	Keyboards.....	Free		35%
	Display units:			
8471.49.26	Without cathode-ray tube (CRT), having a visual display diagonal not exceeding 30.5 cm....	Free		35%
	Other:			
8471.49.26	With color cathode-ray tube (CRT).....	2.2%	Free (A°,C,CA,E, IL,J,NK)	35%
8471.49.29	Other.....	2.2%	Free (A°,C,CA,E, IL,J,NK)	35%
	Printer units:			
	Laser:			
8471.49.31	Capable of producing more than 20 pages per minute.....	2.2%	Free (A,C,CA,E, IL,J,NK)	35%
8471.49.32	Other.....	2.2%	Free (A,C,CA,E, IL,J,NK)	35%
8471.49.33	Light bar electronic type.....	2.2%	Free (A,C,CA,E, IL,J,NK)	35%
8471.49.34	Ink jet.....	2.2%	Free (A,C,CA,E, IL,J,NK)	35%
8471.49.35	Thermal transfer.....	2.2%	Free (A,C,CA,E, IL,J,NK)	35%
8471.49.36	Ionographic.....	2.2%	Free (A,C,CA,E, IL,J,NK)	35%
8471.49.37	Other.....	2.2%	Free (A,C,CA,E, IL,J,NK)	35%
	Other:			
8471.49.42	Optical scanners and magnetic ink recognition devices.....	2.2%	Free (A,C,CA,E, IL,J,NK)	35%
8471.49.48	Other.....	2.2%	Free (A,C,CA,E, IL,J,NK)	35%

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271. (con.):

Automatic....] (con.)				
Other digital automatic data processing machines (con.):				
8471.69 (con.)	Other, entered in the form of systems (con.):			
8471.69.50	Storage units, entered with the rest of a system.....			2.2%
		Free (A,C,CA,E, IL,J,PK)		35%
Other:				
8471.69.60	Control or adapter units.....			Free
				35%
8471.69.70	Power supplies.....			1.6%
		Free (A,CA,E, IL,J,PK)		35%
Other:				
8471.69.85	Units suitable for physical incorporation into automatic data processing machines or units thereof.....			Free
				35%
8471.69.95	Other.....			2.2%
		Free (A,CA,E, IL,J,PK)		35%
8471.50	Digital processing units other than those of subheadings 8471.41 and 8471.49, whether or not containing in the same housing one or two of the following types of units: storage units, input units, output units:			
8471.50.40	Digital processing units for automatic data processing machines, unboxed, consisting of a printed circuit (single or multiple) with one or more electronic integrated circuits or other semiconductor devices mounted directly thereon, certified as units designed for use other than in automatic data processing machines of subheading 8471.30 or 8471.41.....			Free
				35%
8471.50.80	Other.....			3.1%
		Free (A,C,CA,E, IL,J,PK)		35%
8471.60	Input or output units, whether or not containing storage units in the same housing:			
8471.60.10	Combined input/output units.....			2.2%
		Free (A,C,CA,E, IL,J,PK)		35%
Other:				
8471.60.20	Keyboards.....			Free
				35%
Display units:				
8471.60.30	Without cathode-ray tube (CRT), having a visual display diagonal not exceeding 30.5 cm.....			Free
				35%
Other:				
8471.60.35	With color cathode-ray tube (CRT).....			2.2%
		Free (A,C,CA,E, IL,J,PK)		35%
8471.60.45	Other.....			2.2%
		Free (A,C,CA,E, IL,J,PK)		35%

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271. (con.):

(Automatic....) (con.)				
8471.60	Input or output units, whether or not			
(con.)	containing storage units in the same			
	housing (con.):			
	Other (con.):			
	Printer units:			
	Assembled units incorporating			
	at least the media transport,			
	control and print mechanisms:			
	Laser:			
8471.60.51	Capable of			
	producing more			
	than 20 pages per			
	minute.....	2.2%	Free (A,C,CA,E,	35%
			IL,J,NK)	
8471.60.52	Other.....	2.2%	Free (A,C,CA,E,	35%
			IL,J,NK)	
8471.60.53	Light bar electronic			
	type.....	2.2%	Free (A,C,CA,E,	35%
			IL,J,NK)	
8471.60.54	Ink jet.....	2.2%	Free (A,C,CA,E,	35%
			IL,J,NK)	
8471.60.55	Thermal transfer.....	2.2%	Free (A,C,CA,E,	35%
			IL,J,NK)	
8471.60.56	Ionographic.....	2.2%	Free (A,C,CA,E,	35%
			IL,J,NK)	
8471.60.57	Other.....	2.2%	Free (A,C,CA,E,	35%
			IL,J,NK)	
	Other:			
	Laser:			
8471.60.61	Capable of			
	producing more			
	than 20 pages per			
	minute.....	Free		35%
8471.60.62	Other.....	Free		35%
8471.60.63	Light bar electronic			
	type.....	Free		35%
8471.60.64	Ink jet.....	Free		35%
8471.60.65	Thermal transfer.....	Free		35%
8471.60.66	Ionographic.....	Free		35%
8471.60.67	Other.....	Free		35%
	Other:			
8471.60.70	Units suitable for physical			
	incorporation into automatic			
	data processing machines or			
	units thereof.....	Free		35%
	Other:			
8471.60.80	Optical scanners and			
	magnetic ink			
	recognition devices.....	2.2%	Free (A,C,CA,E,	35%
			IL,J,NK)	
8471.60.90	Other.....	2.2%	Free (A,C,CA,E,	35%
			IL,J,NK)	

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271. (con.):

(Automatic....) (con.)			
8471.70	Storage units:		
	Magnetic disk drive units:		
	For a disk of a diameter exceeding 21 cm:		
8471.70.10	Without read-write unit assembled therein; read-write units entered separately.....	Free	35X
8471.70.20	Units for physical incorporation into automatic data processing machines or units thereof.....	Free	35X
8471.70.30	Other.....	2.2X	Free (A,C,CA,E, IL,J,NK) 35X
	Other:		
8471.70.40	Not assembled in cabinets, and without attached external power supply.....	Free	35X
8471.70.50	Other.....	2.2X	Free (A,C,CA,E, IL,J,NK) 35X
	Other storage units:		
8471.70.60	Not assembled in cabinets for placing on a table, desk, wall, floor or similar place.....	Free	35X
8471.70.90	Other.....	2.2X	Free (A,C,CA,E, IL,J,NK) 35X
8471.80	Other units of automatic data processing machines:		
8471.80.10	Control or adaptor units.....	Free	35X
	Other:		
8471.80.40	Units suitable for physical incorporation into automatic data processing machines.....	Free	35X
8471.80.90	Other.....	2.2X	Free (A,CA,E, IL,J,NK) 35X
8471.90.00	Other.....	2.2X	Free (A,CA,E, IL,J,NK) 35X

Conforming changes: General note 4(d) is modified by deleting "8471.92.32 Malaysia; Thailand" and "8471.92.34 Malaysia; Thailand" and by inserting in lieu thereof "8471.49.26 Malaysia; Thailand", "8471.49.29 Malaysia; Thailand", "8471.60.35 Malaysia; Thailand" and "8471.60.45 Malaysia; Thailand".

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272. The following new provisions are inserted after subheading 8473.40.90:

[Parts....]			
"8473.50	Parts and accessories equally suitable for use with machines of two or more of the headings 8469 to 8472:		
8473.50.30	Printed circuit assemblies.....	Free	35%
8473.50.60	Parts and accessories, including face plates and lock latches, of printed circuit assemblies.....		
		Free	35%
8473.50.90	Other.....	Free	35%

## Conforming changes:

(a). Subheading 8473.30.10 is modified by deleting ", other than for power supplies for automatic data processing machines".

(b). Subheadings 8473.30.35, 8473.30.45 and 8473.30.50 and the superior texts reading "Other:" and "Parts of power supplies for automatic data processing machines:" are deleted and the following new provision is inserted in lieu thereof:

[Parts....]			
[Parts....]			
[Not....]			
"8473.30.50	Other.....	Free	35%

273. Subheading 8475.20.00 is superseded by the following:

[Machines....]			
"Machines for manufacturing or hot-working glass or glassware:			
8475.21.00	Machines for making optical fibers and preforms thereof.....	2.3%	Free (A,CA,E,IL,J,NK) 35%
8475.29.00	Other.....	2.3%	Free (A,CA,E,IL,J,NK) 35%

274. Subheadings 8476.11.00 and 8476.19.00 (and the superior text thereto reading "Machines:") are superseded by the following:

[Automatic....]			
"Automatic beverage-vending machines:			
8476.21.00	Incorporating heating or refrigerating devices.....	2.3%	Free (A,CA,E,IL,J,NK) 35%
8476.29.00	Other.....	2.3%	Free (A,CA,E,IL,J,NK) 35%
Other machines:			
8476.81.00	Incorporating heating or refrigerating devices.....	2.3%	Free (A,CA,E,IL,J,NK) 35%
8476.89.00	Other.....	2.3%	Free (A,CA,E,IL,J,NK) 35%

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275. The following new subheadings are inserted in numerical sequence in heading 8479:

[Machines....]			
8479.50.00	Industrial robots, not elsewhere specified or included.....	3.2%	Free (A,CA,E, IL,J,NK)
8479.60.00	Evaporative air coolers.....	3.6%	Free (A,CA,E, IL,J,NK)

276(a). The article description of heading 8483 is modified by deleting the expression "ball screws;" and inserting the expression "ball or roller screws;" in lieu thereof.

(b). The article description of subheading 8483.40 is modified by deleting the expression "ball screws;" and inserting the expression "ball or roller screws;" in lieu thereof.

(c). The article description of subheading 8483.40.80 is modified to read as follows: "Ball or roller screws".

277(a). The article description of heading 8484 is modified by inserting the expression "; mechanical seals" after the expression "similar packings".

(b). The following new subheading is inserted in numerical sequence in heading 8484:

[Seals....]			
8484.20.00	Mechanical seals.....	5%	Free (A,B,CA,E, IL,J,NK)

278. The first sentence of the second paragraph of note 4 to chapter 85 is modified to read as follows:

"The term "printed circuits" does not cover circuits combined with elements other than those obtained during the printing process, nor does it cover individual, discrete resistors, capacitors or inductances."

279. The following new note 7 to chapter 85 is inserted:

"7. For the purposes of heading 8548, "spare primary cells, spare primary batteries and spare electric storage batteries" are those which are neither usable as such because of breakage, cutting up, wear or other reasons, nor capable of being recharged."

280. The following new subheading note 1 to chapter 85 is inserted:

"Subheading Note

1. Subheadings 8519.92 and 8527.12 cover only cassette players with built-in amplifier, without built-in loudspeaker, capable of operating without an external source of electric power and the dimensions of which do not exceed 170 mm x 100 mm x 45 mm."

281. Subheading 8502.30.00 is superseded by the following:

[Electric....]			
"Other generating sets:			
8502.31.00	Wind-powered.....	2.8%	Free (A,B,C,CA, E,IL,J,NK)
8502.39.00	Other.....	2.8%	Free (A,B,C,CA, E,IL,J,NK)

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282(a). The article description of heading 8504 is modified to read as follows:

"Electrical transformers, static converters (for example, rectifiers) and inductors; power supplies for automatic data processing machines or units thereof of heading 8471; parts thereof:"

(b). The article description of subheading 8504.40 is modified to read as follows:

"Static converters; power supplies for automatic data processing machines or units thereof of heading 8471:"

(c). Subheading 8504.40.80 is deleted and the following new subheadings are added in numerical sequence:

[Electrical....]			
[Static....]			
"Power supplies for automatic data processing machines or units thereof of heading 8471:			
8504.40.60	Suitable for physical incorporation into automatic data processing machines or units thereof of heading 8471.....	Free	35X
8504.40.70	Other.....	1.8X	Free (A,CA,E,IL,J,NK)
8504.40.90	Other.....	2.4X	Free (A,B,C,CA,E,IL,J,NK)

(d). Subheadings 8504.90.60 and 8504.90.90 are superseded by the following:

[Electrical....]			
[Parts:]			
"Of power supplies for automatic data processing machines or units thereof of heading 8471:			
8504.90.20	Printed circuit assemblies.....	Free	35X
8504.90.40	Other.....	Free	35X
8504.90.70	Printed circuit assemblies.....	2.9X	Free (A,B,CA,E,IL,J,NK)
8504.90.95	Other.....	2.9X	Free (A,B,CA,E,IL,J,NK)

283. Heading 8506 (including its subordinate provisions) is superseded by the following:

8506	Primary cells and primary batteries; parts thereof:		
8506.10.00	Manganese dioxide.....	4.3X	Free (A,E,IL,J,NK)
8506.30	Mercuric oxide:		1X (CA)
8506.30.10	Having an external volume not exceeding 300 cm <sup>3</sup> .....	4.3X	Free (A,CA,E,IL,J,NK)
8506.30.50	Other.....	4.3X	Free (A,E,IL,J,NK)
			1X (CA)

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283. (con.):

8506 (con.) Primary cells and primary batteries; parts thereof (con.):			
8506.40 Silver oxide:			
8506.40.10	Having an external volume not exceeding 300 cm <sup>3</sup> .....	4.3%	Free (A, CA, E, IL, J, HK) 35%
8506.40.50	Other .....	4.3%	Free (A, E, IL, J, HK) 35%
			1% (CA)
8506.50.00	Lithium .....	4.3%	Free (A, E, IL, J, HK) 35%
			1% (CA)
8506.60.00	Air-zinc .....	4.3%	Free (A, E, IL, J, HK) 35%
			1% (CA)
8506.80.00	Other .....	4.3%	Free (A, E, IL, J, HK) 35%
			1% (CA)
8506.90.00	Parts .....	4.3%	Free (A, E, IL, J, HK) 35%
			1% (CA)

284(a). The article description of heading 8510 is modified to read as follows:

"Shavers, hair clippers and hair-removing appliances, with self-contained electric motor; parts thereof:"

(b). The following new subheadings 8510.30.00 and 8510.90.55 are inserted in numerical sequence:

[Shavers,....]			
8510.30.00	Hair-removing appliances .....	4.2%	Free (A, E, IL, J, HK) 40%
			0.6% (CA)
[Parts:]			
8510.90.55	Other .....	4.2%	Free (A, CA, E, IL, J, HK) 40%

285. The article description of heading 8515 is modified by deleting the expression "sintered metal carbides" and inserting the word "cermets" in lieu thereof.

286(a). The article description of heading 8517 is modified to read as follows:

"Electrical apparatus for line telephony or line telegraphy, including line telephone sets with cordless handsets and telecommunication apparatus for carrier-current line systems or for digital line systems; videophones; parts thereof:"



286. (con.)

(b). Subheading 8517.10.00 is superseded by the following:

(Electrical....)			
"Telephone sets; videophones:			
8517.11.00	Line telephone sets with cordless handsets.....	3.6%	Free (A,B,C,CA,E, IL,J,NK) 35%
8517.19	Other:		
8517.19.40	Videophones.....	8.5%	Free (A*,B,CA,E, IL,J,NK) 35%
8517.19.80	Other.....	8.5%	Free (A*,B,CA,E, IL,J,NK) 35%

Conforming change: General note 4(d) is modified by deleting "8517.10.00 Thailand" and by inserting in lieu thereof "8517.19.40 Thailand" and "8517.19.80 Thailand".

(c). Subheading 8517.20.00 is superseded by the following:

(Electrical....)			
"Facsimile machines and teleprinters:			
8517.21.00	Facsimile machines.....	4.7%	Free (A*,CA,E, IL,J,NK) 35%
8517.22.00	Teleprinters.....	4.7%	Free (A,CA,E, IL,J,NK) 35%

Conforming change: General note 4(d) is modified by deleting "8517.82.40 Thailand" and by inserting in numerical sequence "8517.21.00 Thailand".

(d). Subheadings 8517.40, 8517.40.10, and 8517.40.50 are redesignated as 8517.50, 8517.50.10, and 8517.50.50, respectively; the article description of subheading 8517.50 (as redesignated) is modified by deleting the expression "systems:" and inserting the expression "systems or for digital line systems:" in lieu thereof.

(e). Subheading 8517.40.70 is deleted and the following new provisions are inserted in numerical sequence in lieu thereof:

(Electrical....)			
(Other....)			
(Other:)			
"Telegraphic:			
8517.50.60	For carrier-current line systems.....	3.7%	Free (A,CA,E,IL, J,NK) 35%
8517.50.90	Other.....	4.7%	Free (A,CA,E,IL, J,NK) 35%

(f). Subheadings 8517.81.00 (and the superior text thereto reading "Other apparatus:"), 8517.82, 8517.82.40 and 8517.82.80 are deleted and the following new provisions are inserted in lieu thereof:

(Electrical....)			
"Other apparatus:			
8517.80	Telephonic.....	8.5%	Free (A,B,CA,E, IL,J,NK) 35%
8517.80.20	Telegraphic.....	4.7%	Free (A,CA,E, IL,J,NK) 35%

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286. (con.)

(g). The superior text immediately preceding subheading 8517.90.16 reading "Parts for articles of subheadings 8517.20, 8517.30, 8517.40.50 and 8517.81:" is modified by deleting provisions "8517.20," and "8517.40.50 and 8517.81" and inserting provisions "8517.22," and "8517.50.50 and 8517.80.10", respectively, in lieu thereof.

287. Subheading 8519.91 is superseded by the following:

[Turntables,....:]				
[Other....:]				
8519.92.00	Pocket-size cassette players.....	2.2%	Free (A,E,IL, J,NK) 0.7% (CA)	35%
8519.93	Other, cassette type:			
8519.93.40	Designed exclusively for motor-vehicle installation.....	3.7%	Free (A,B,CA,E, IL,J,NK)	35%
8519.93.80	Other.....	2.2%	Free (A,E,IL,J, NK) 0.7% (CA)	35%

288. Subheading 8520.31.00 is superseded by the following:

[Diagnostic....:]				
[Other....:]				
8520.32.00	Digital audio type.....	2.3%	Free (A,B,E,IL, J,NK) 0.7% (CA)	35%
8520.33.00	Other, cassette type.....	2.3%	Free (A,B,E,IL, J,NK) 0.7% (CA)	35%

289. The article description of heading 8522 is modified to read as follows:

"Parts and accessories suitable for use solely or principally with the apparatus of headings 8519 to 8521:"

290. The following new subheading 8523.30.00 is inserted in numerical order:

[Prepared....:]				
8523.30.00	Cards incorporating a magnetic stripe.....	2.5%	Free (A,E,I,L,J, NK) 0.8% (CA)	80%

291. Subheadings 8524.10.00 through 8524.90.40 are superseded by the following:

[Records,....:]				
8524.10.00	Phonograph records.....	2.9%	Free (A,E,IL,J, NK) 0.7% (CA)	30%
Discs for laser reading systems:				
8524.31.00	For reproducing phenomena other than sound or image.....	5.8e/m <sup>2</sup> of recording surface	Free (A,E,IL, J,NK) 1.9e/m <sup>2</sup> of recording surface (CA)	86.1e/m <sup>2</sup> of recording surface

291. (con.):

(Records,...) (con.)				
Disks for laser reading systems (con.):				
8524.32.00	For reproducing sound only.....	5.8¢/m <sup>2</sup> of recording surface	Free (A,E,IL, J,RE) 1.9¢/m <sup>2</sup> of recording surface (CA)	86.1¢/m <sup>2</sup> of recording surface
8524.39.00	Other.....	4.3%	Free (A,E,IL, J,RE) 1% (CA)	80%
8524.40.00	Magnetic tapes for reproducing phenomena other than sound or image.....	7.7¢/m <sup>2</sup> of recording surface	Free (A,E,IL, J,RE) 1.9¢/m <sup>2</sup> of recording surface (CA)	86.1¢/m <sup>2</sup> of recording surface
Other magnetic tapes:				
8524.51	Of a width not exceeding 4 mm:			
8524.51.10	News sound recordings relating to current events.....	Free		Free
8524.51.30	Other.....	7.7¢/m <sup>2</sup> of recording surface	Free (A,E,IL, J,RE) 1.9¢/m <sup>2</sup> of recording surface (CA)	86.1¢/m <sup>2</sup> of recording surface
8524.52	Of a width exceeding 4 mm but not exceeding 6.5 mm:			
8524.52.10	Video tape recordings.....	0.53¢/lin. m	Free (A,E,IL, J,RE) 0.1¢/lin. m (CA)	3.3¢/lin. m
8524.52.20	Other.....	7.7¢/m <sup>2</sup> of recording surface	Free (A,E,IL, J,RE) 1.9¢/m <sup>2</sup> of recording surface (CA)	86.1¢/m <sup>2</sup> of recording surface
8524.53	Of a width exceeding 6.5 mm:			
8524.53.10	Video tape recordings.....	0.4¢/lin. m	Free (A,E,IL, J,RE) 0.1¢/lin. m (CA)	3.3¢/lin. m
8524.53.20	Other.....	7.7¢/m <sup>2</sup> of recording surface	Free (A,E,IL, J,RE) 1.9¢/m <sup>2</sup> of recording surface (CA)	86.1¢/m <sup>2</sup> of recording surface
8524.60.00	Cards incorporating a magnetic stripe.....	5.8¢/m <sup>2</sup> of recording surface	Free (A,E,IL, J,RE) 1.9¢/m <sup>2</sup> of recording surface (CA)	86.1¢/m <sup>2</sup> of recording surface

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291. (con.):

[Records,....:] [con.]				
Other:				
8524.91.00	For reproducing phenomena other than sound or image.....	5.86/m <sup>2</sup> of recording surface	Free (A,E,IL, J,NK) 1.96/m <sup>2</sup> of recording surface (CA)	86.16/m <sup>2</sup> of recording surface
8524.99	Other:			
8524.99.20	Master records or metal matrices therefrom for use in the production of sound records for export; recordings on wire.....	Free		Free
8524.99.40	Other.....	5.86/m <sup>2</sup> of recording surface	Free (A,E,IL, J,NK) 1.96/m <sup>2</sup> of recording surface (CA)	86.16/m <sup>2</sup> of recording surface <sup>2</sup>

292(a). The article description of heading 8525 is modified by deleting the expression "cameras:" and inserting the following in lieu thereof:

"cameras; still image video cameras or other video camera recorders:"

(b). Subheadings 8525.20.50 and 8525.20.60 (and the superior text thereto reading "Other:") are deleted, and the following new subheading is inserted in lieu thereof:

[Transmission...:]			
[Transmission...:]			
*8525.20.90	Other .....	3.6%	Free (A,B,C,CA, E,IL,J,NK) 35%

(c). The following new subheading is inserted in numerical sequence:

[Transmission...:]				
*8525.40.00	Still image video cameras and other video camera recorders.....	3.4%	Free (A,CA,E, IL,J,NK)	35%

293. Subheadings 8527.11 through 8527.11.60 and the intervening superior text reading "Other:" are superseded by the following:

[Reception,...:]				
[Radiobroadcast,...:]				
*8527.12.00	Pocket-size radio cassette players.....	2.2%	Free (A,CA,E, IL,J,NK)	35%
8527.13	Other apparatus combined with sound recording or reproducing apparatus:			
8527.13.11	Combinations incorporating tape players which are incapable of recording.....	2.2%	Free (A,CA,E, IL,J,NK)	35%

293. (con.):

[Reception....] (con.)			
[Radiobroadcast....] (con.)			
8527.13 (con.)	Other apparatus combined with sound recording or reproducing apparatus (con.):		
	Other:		
8527.13.20	Radio-tape recorder combinations.....	2.9%	Free (CA,E,IL, J,NK) 35%
8527.13.40	Radio-phonograph combinations.....	2.6%	Free (CA,E,IL, J,NK) 35%
8527.13.60	Other.....	2.2%	Free (A,CA,E, IL,J,NK) 35%

294(a). The article description of heading 8528 is modified to read as follows:

"Reception apparatus for television, whether or not incorporating radiobroadcast receivers or sound or video recording or reproducing apparatus; video monitors and video projectors:"

(b). Subheadings 8528.10 through 8528.20.00, inclusive, are superseded by the following:

[Reception....]			
"Reception apparatus for television, whether or not incorporating radiobroadcast receivers or sound or video recording or reproducing apparatus:			
8528.12	Color:		
	Incomplete or unfinished (including assemblies for television receivers consisting of all the parts specified in additional U.S. note 10 to this chapter plus a power supply), not incorporating a cathode-ray tube, flat panel screen or similar display device:		
8528.12.04	Incorporating video recording or reproducing apparatus.....	2.3%	Free (A <sup>o</sup> ,E,IL,J, NK) 25% 0.7% (CA)
8528.12.00	Other.....	3%	Free (B,E,IL,J, NK) 35% 1% (CA)
	Non-high definition, having a single picture tube intended for direct viewing (non-projection type), with a video display diagonal not exceeding 35.56 cm:		
	Incorporating video recording or reproducing apparatus:		
8528.12.12	With a video display diagonal not exceeding 33.02 cm.....	2.3%	Free (A <sup>o</sup> ,E,IL,J, NK) 25% 0.7% (CA)
8528.12.16	Other.....	3.9%	Free (A <sup>o</sup> ,E,IL,J, NK) 25% 0.7% (CA)

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294. (con.)

(b). (con.):

[Reception...:] (con.)

Reception apparatus for television, whether or not incorporating radiobroadcast receivers or sound or video recording or reproducing apparatus (con.):

Color (con.):

8528.12  
(con.)

Non-high definition, having a single picture tube intended for direct viewing (non-projection type), with a video display diagonal not exceeding 35.56 cm (con.):

Other:

8528.12.20

With a video display diagonal not exceeding 33.02 cm..... 3%

Free (B,E,IL,J, 35%  
HK)  
1% (CA)

8528.12.24

Other..... 5%

Free (B,E,IL,J, 35%  
HK)  
1% (CA)

Non-high definition, having a single picture tube intended for direct viewing (non-projection type), with a video display diagonal exceeding 35.56 cm:

8528.12.28

Incorporating video recording or reproducing apparatus..... 3.9%

Free (A,E,IL,J, 25%  
HK)  
0.7% (CA)

8528.12.32

Other..... 5%

Free (B,E,IL,J, 35%  
HK)  
1% (CA)

Non-high definition, projection type, with a cathode-ray tube:

8528.12.36

Incorporating video recording or reproducing apparatus..... 3.9%

Free (A<sup>o</sup>,E,IL,J, 25%  
HK)  
0.7% (CA)

8528.12.40

Other..... 5%

Free (B,E,IL,J, 35%  
HK)  
1% (CA)

High definition, non-projection type, with a cathode-ray tube:

8528.12.44

Incorporating video recording or reproducing apparatus..... 3.9%

Free (A,E,IL,J, 25%  
HK)  
0.7% (CA)

8528.12.48

Other..... 5%

Free (B,E,IL,J, 35%  
HK)  
1% (CA)

294. (con.)

(b). (con.):

[Description...:] (con.)

Reception apparatus for television, whether or not incorporating radiobroadcast receivers or sound or video recording or reproducing apparatus (con.):

8528.12 (con.)

Color (con.):

High definition, projection type, with a cathode-ray tube:

8528.12.52

Incorporating video recording or reproducing apparatus..... 3.9%

Free (A,E,IL,J, NI)  
0.7% (CA)

8528.12.56

Other..... 5%

Free (B,E,IL,J, NI)  
1% (CA)

With a flat panel screen:  
Incorporating video recording or reproducing apparatus:

8528.12.62

With a video display diagonal not exceeding 33.02 cm..... 2.3%

Free (A,E,IL,J, NI)  
0.7% (CA)

8528.12.64

Other..... 3.9%

Free (A,E,IL,J, NI)  
0.7% (CA)

Other:

8528.12.68

With a video display diagonal not exceeding 33.02 cm..... 3%

Free (B,E,IL,J, NI)  
1% (CA)

8528.12.72

Other..... 5%

Free (B,E,IL,J, NI)  
1% (CA)

Other:

8528.12.76

Incorporating video recording or reproducing apparatus:

With a video display diagonal not exceeding 33.02 cm..... 2.3%

Free (A,E,IL,J, NI)  
0.7% (CA)

8528.12.80

Other..... 3.9%

Free (A,E,IL,J, NI)  
0.7% (CA)

Other:

8528.12.84

With a video display diagonal not exceeding 33.02 cm..... 3%

Free (B,E,IL,J, NI)  
1% (CA)

8528.12.88

Other..... 5%

Free (B,E,IL,J, NI)  
1% (CA)

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**Annex II (con.)**  
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294. (con.)

(b). (con.):

[Reception....] [con.]

Reception apparatus for television, whether or not incorporating radiobroadcast receivers or sound or video recording or reproducing apparatus (con.):

8528.13.00	Black and white or other monochrome..... 5%	Free (B,E,IL,J, NK) 1% (CA)	35%
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Video monitors:

Color:

8528.21	Incomplete or unfinished (including assemblies consisting of the parts specified in subdivisions (a), (b), (c) and (e) in additional U.S. note 10 to this chapter plus a power supply), not incorporating a cathode-ray tube, flat panel screen or similar display device: Incorporating video recording or reproducing apparatus..... 2.3%	Free (A*,E,IL,J, NK) 0.7% (CA)	25%
8528.21.05	Other..... 3%	Free (B,E,IL,J, NK) 1% (CA)	35%

Non-high definition, having a single picture tube intended for direct viewing (non-projection type), with a video display diagonal not exceeding 35.56 cm:  
Incorporating video recording or reproducing apparatus:

8528.21.16	With a video display diagonal not exceeding 33.02 cm..... 2.3%	Free (A*,E,IL, J,NK) 0.7% (CA)	25%
8528.21.19	Other..... 3.9%	Free (A*,E,IL, J,NK) 0.7% (CA)	25%

Other:

8528.21.24	With a video display diagonal not exceeding 33.02 cm..... 3%	Free (B,E,IL, J,NK) 1% (CA)	35%
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8528.21.29	Other..... 5%	Free (B,E,IL, J,NK) 1% (CA)	35%
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294. (con.)

(b). (con.):

(Reception....) (con.)

Video monitors (con.):

Color (con.):

8528.21  
(con.)

Non-high definition, having a  
single picture tube intended for  
direct viewing (non-projection  
type), with a video display  
diagonal exceeding 35.56 cm:

8528.21.34

Incorporating video recording  
or reproducing apparatus..... 3.9%

Free (A,E,IL,  
J,NK) 25%  
0.7% (CA)

8528.21.39

Other..... 5%

Free (S,E,IL,  
J,NK) 35%  
1% (CA)

8528.21.41

Non-high definition, projection  
type, with a cathode-ray tube:  
Incorporating video recording  
or reproducing apparatus..... 3.9%

Free (A\*,E,IL,  
J,NK) 25%  
0.7% (CA)

8528.21.42

Other..... 5%

Free (S,E,IL,  
J,NK) 35%  
1% (CA)

8528.21.44

High definition, non-projection  
type, with a cathode-ray tube:  
Incorporating video recording  
or reproducing apparatus..... 3.9%

Free (A,E,IL,  
J,NK) 25%  
0.7% (CA)

8528.21.49

Other..... 5%

Free (S,E,IL,  
J,NK) 35%  
1% (CA)

8528.21.51

High definition, projection type,  
with a cathode-ray tube:  
Incorporating video recording  
or reproducing apparatus..... 3.9%

Free (A,E,IL,  
J,NK) 25%  
0.7% (CA)

8528.21.52

Other..... 5%

Free (S,E,IL,  
J,NK) 35%  
1% (CA)

8528.21.55

With a flat panel screen:  
Incorporating video recording  
or reproducing apparatus:  
With a video display  
diagonal not exceeding  
33.02 cm..... 2.3%

Free (A,E,IL,J,  
NK) 25%  
0.7% (CA)

8528.21.60

Other..... 3.9%

Free (A,E,IL,J,  
NK) 25%  
0.7% (CA)

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## Annex II (con.)

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294. (con.)

(b). (con.):

[Reception....] [con.]

Video monitors (con.):

Color (con.):

8528.21  
(con.)

With a flat panel screen (con.):

Other:

8528.21.65

With a video display  
diagonal not exceeding  
33.02 cm..... 3%

Free (B,E,IL,J, 35%  
HK)  
1% (CA)

8528.21.70

Other..... 5%

Free (B,E,IL,J, 35%  
HK)  
1% (CA)

Other:

Incorporating video recording  
or reproducing apparatus:

8528.21.75

With a video display  
diagonal not exceeding  
33.02 cm..... 2.3%

Free (A,E,IL,J, 25%  
HK)  
0.7% (CA)

8528.21.80

Other..... 3.9%

Free (A,E,IL,J, 25%  
HK)  
0.7% (CA)

Other:

8528.21.85

With a video display  
diagonal not exceeding  
33.02 cm..... 3%

Free (B,E,IL,J, 35%  
HK)  
1% (CA)

8528.21.90

Other..... 5%

Free (B,E,IL,J, 35%  
HK)  
1% (CA)

8528.22.00

Black and white or other monochrome..... 5%

Free (B,E,IL,J, 35%  
HK)  
1% (CA)

8528.30

Video projectors:

Color:

Incomplete or unfinished  
(including assemblies consisting  
of the parts specified in  
subdivisions (a), (b), (c) and  
(e) in additional U.S. note 10 to  
this chapter plus a power supply),  
not incorporating a cathode-ray  
tube, flat panel screen or  
similar display device:

8528.30.10

Incorporating video recording  
or reproducing apparatus..... 2.3%

Free (A\*,E,IL,J, 25%  
HK)  
0.7% (CA)

8528.30.20

Other..... 3%

Free (B,E,IL,J, 35%  
HK)  
1% (CA)

294. (con.)

(b). (con.):

[Description...] [con.]		
8528.30 (con.)	Video projectors (con.):	
	Color (con.):	
	Non-high definition, with a cathode-ray tube:	
8528.30.30	Incorporating video recording or reproducing apparatus.....	3.9% Free (A*,E,IL,J, NK) 25% 0.7% (CA)
8528.30.40	Other.....	5% Free (B,E,IL,J, NK) 35% 1% (CA)
	High definition, with a cathode-ray tube:	
8528.30.50	Incorporating video recording or reproducing apparatus.....	3.9% Free (A,E,IL,J, NK) 25% 0.7% (CA)
8528.30.60	Other.....	5% Free (B,E,IL,J, NK) 35% 1% (CA)
	With a flat panel screen:	
	Incorporating video recording or reproducing apparatus:	
8528.30.62	With a video display diagonal not exceeding 33.02 cm.....	2.3% Free (A,E,IL, J,NK) 25% 0.7% (CA)
8528.30.64	Other.....	3.9% Free (A,E,IL, J,NK) 25% 0.7% (CA)
	Others:	
8528.30.66	With a video display diagonal not exceeding 33.02 cm.....	3% Free (B,E,IL, J,NK) 35% 1% (CA)
8528.30.68	Other.....	5% Free (B,E,IL, J,NK) 35% 1% (CA)
	Other:	
8528.30.72	Incorporating video recording or reproducing apparatus.....	3.9% Free (A,E,IL, J,NK) 25% 0.7% (CA)
8528.30.78	Other.....	5% Free (B,E,IL, J,NK) 35% 1% (CA)
8528.30.90	Black and white or other monochrome.....	5% Free (B,E,IL,J, NK) 35% 1% (CA)

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294. (con.)

(b). (con.)

Conforming changes: General note 4(d) is modified by deleting "8528.10.04 Hungary", "8528.10.11 Malaysia", "8528.10.13 Malaysia", and "8528.10.34 Malaysia" and by inserting in numerical sequence the following subheadings and countries:

"8528.12.04 Hungary	8528.21.16 Malaysia
8528.12.12 Malaysia	8528.21.19 Malaysia
8528.12.16 Malaysia	8528.21.41 Malaysia
8528.12.36 Malaysia	8528.30.10 Hungary
8528.21.05 Hungary	8528.30.30 Malaysia"

295. The article description of heading 8537 is modified to read as follows:

"Boards, panels, consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of chapter 90, and numerical control apparatus, other than switching apparatus of heading 8517;"

296(a). The following new subheading 8539.32.00 is inserted in numerical order:

[Electrical....]

[Discharge....]

"8539.32.00	Mercury or sodium vapor lamps; metal halide lamps.....	3.2%	Free (A,E,IL,J,NK)	20%
			0.7% (CA)	

(b). Subheadings 8539.40, 8539.40.40 and 8539.40.80 are superseded by the following:

[Electrical....]

"Ultraviolet or infrared lamps; arc lamps:

8539.41.00	Arc lamps.....	3.4%	Free (A,CA,E,IL,J,NK)	35%
8539.49.00	Other.....	3.2%	Free (A,CA,E,IL,J,NK)	35%

297. Subheadings 8540.30.00 through 8540.49.00 are superseded by the following:

[Thermionic,....]

"8540.40.00	Data/graphic display tubes, color, with a phosphor dot screen pitch smaller than 0.4 mm.....	4.8%	Free (B,CA,E,IL,J,NK)	35%
8540.50.00	Data/graphic display tubes, black and white or other monochrome.....	4.8%	Free (B,CA,E,IL,J,NK)	35%
8540.60.00	Other cathode-ray tubes.....	4.8%	Free (B,CA,E,IL,J,NK)	35%
	Microwave tubes (for example, magnetrons, klystrons, traveling wave tubes, carcinotrons), excluding grid-controlled tubes:			
8540.71	Magnetrons:			
8540.71.20	Modified for use as parts of microwave ovens.....	Free		35%
8540.71.40	Other.....	4%	Free (CA,E,IL,J,NK)	35%

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297. (con.):

(Thermionic,...) (con.)

Microwave tubes (for example, magnetrons, klystrons, traveling wave tubes, carcinotrons), excluding grid-controlled tubes (con.):

8540.72.00	Klystrons.....	3.8%	Free (CA,E,IL, J,NK)	35%
8540.79.00	Other.....	4%	Free (CA,E,IL, J,NK)	35%

298. Subheadings 8542.11 (and the superior text thereto reading "Monolithic integrated circuits:") through 8542.90.00 are superseded by the following:

(Electronic...)

"Monolithic digital integrated circuits:

8542.12.00	Cards incorporating electronic integrated circuits ("smart" cards).....	Free		35%
8542.13	Metal oxide semiconductors (MOS technology):			
8542.13.40	For high definition television, having greater than 100,000 gates...	Free		35%
8542.13.80	Other.....	Free		35%
8542.14	Circuits obtained by bipolar technology:			
8542.14.40	For high definition television, having greater than 100,000 gates...	Free		35%
8542.14.80	Other.....	Free		35%
8542.19	Other, including circuits obtained by a combination of bipolar and MOS technologies (BIMOS technology):			
8542.19.40	For high definition television, having greater than 100,000 gates...	Free		35%
8542.19.80	Other.....	Free		35%
8542.30.00	Other monolithic integrated circuits.....	Free		35%
8542.40.00	Hybrid integrated circuits.....	Free		35%
8542.50.00	Electronic microassemblies.....	Free		35%
8542.90.00	Parts.....	Free		35%

299(a). Subheading 8543.10 is superseded by the following:

(Electrical...)

"Particle accelerators:

8543.11.00	Ion implanters for doping semiconductor materials.....	Free		35%
8543.19.00	Other.....	3.1%	Free (A,CA,E, IL,J,NK)	35%

(b). The following new subheading 8543.40.00 is inserted in numerical sequence:

(Electrical...)

8543.40.00	Electric fence energizers.....	3.4%	Free (A,CA,E, IL,J,NK)	35%
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## Annex II (con.)

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299. (con.)

(c). Subheadings 8543.80 through 8543.80.98 are superseded by the following:

[Electrical....]			
*Other machines and apparatus:			
8543.81.00	Proximity cards and tape.....	3.4%	Free (A,CA,E, IL,J,NK)
8543.89	Other:		
8543.89.40	Electric synchros and transducers; flight data recorders; defrostors and demisters with electric resistors for aircraft.....	3.4%	Free (A,C,CA,E, IL,J,NK)
8543.89.60	Articles designed for connection to telegraphic or telephonic apparatus or instruments or to telegraphic or telephonic networks.....	3.4%	Free (A,B,CA,E, IL,J,NK)
8543.89.70	Electric luminescent lamps.....	2%	Free (A,CA,E, IL,J,NK)
Other:			
8543.89.80	Microwave amplifiers.....	3.4%	Free (A,B,CA,E, IL,J,NK)
Other:			
8543.89.85	For electrical nerve stimulation.....	2.3%	Free (A,CA,E, IL,J,NK)
8543.89.90	Other.....	3.4%	Free (A,B,CA,E, IL,J,NK)

300. Heading 8548.00.00 is superseded by the following:

*8548	Waste and scrap of primary cells, primary batteries and electric storage batteries; spent primary cells, spent primary batteries and spent electric storage batteries; electrical parts of machinery or apparatus, not specified or included elsewhere in this chapter:		
8548.10	Waste and scrap of primary cells, primary batteries and electric storage batteries; spent primary cells, spent primary batteries and spent electric storage batteries: Spent primary cells, spent primary batteries and spent electric storage batteries:		
8548.10.05	For recovery of lead.....	1.4% on the value of the lead content	Free (A,CA,E, IL,J,NK)
8548.10.15	Other.....	Free	Free
Other:			
8548.10.25	For recovery of lead.....	1.4% on the value of the lead content	Free (A,CA,E, IL,J,NK)
8548.10.35	Other.....	Free	Free
8548.90.00	Other.....	2.3%	Free (A,B,E, IL,J,NK) 0.7% (CA)

301. Note 4 to section XVII is modified to read as follows:

"4. For the purposes of this section:

- (a) Vehicles specially constructed to travel on both road and rail are classified under the appropriate heading of chapter 87;
- (b) Amphibious motor vehicles are classified under the appropriate heading of chapter 87;
- (c) Aircraft specially constructed so that they can also be used as road vehicles are classified under the appropriate heading of chapter 88."

302. Note 2 to chapter 87 is modified by adding the following new second paragraph:

"Machines and working tools designed for fitting to tractors of heading 8701 as interchangeable equipment remain classified in their respective headings even if presented with the tractor, and whether or not mounted on it."

303. The following new subheading note is inserted in chapter 88:

"Subheading Note

- 1. For the purposes of subheadings 8802.11 to 8802.40, the expression "~~unladen weight~~" means the weight of the machine in normal flying order, excluding the weight of crew and of fuel and equipment other than permanently fitted items of equipment."

304(a). The article description of heading 8802 is modified to read as follows:

"Other aircraft (for example, helicopters, airplanes); spacecraft (including satellites) and suborbital and spacecraft launch vehicles:"

(b). The article description of subheading 8802.50 is modified to read as follows, and such subheading is redesignated as 8802.60:

"Spacecraft (including satellites) and suborbital and spacecraft launch vehicles"

(c). Subheadings 8802.50.30 and 8802.50.90 are redesignated as 8802.60.30 and 8802.60.90, respectively, and general note 4(d) is modified by deleting "8802.50.90 Russia" and by inserting in lieu thereof "8802.60.90 Russia".

305. The article description of heading 8804.00.00 is modified to read as follows:

"Parachutes (including dirigible parachutes and paragliders) and rotochutes; parts thereof and accessories thereto"

306. Subdivision (h) of note 1 to chapter 90 is modified by inserting the following new text after the expression "(heading 8522);":

"still image video cameras and other video camera recorders (heading 8525);"

307(a). Subheading 9007.21 and the superior text thereto reading "Projectors:" are superseded by the following:

"9007.20 Projectors:  
For film of less than 16 mm:"

(b). Subheadings 9007.21.40 and 9007.21.80 are redesignated as subheadings 9007.20.20 and 9007.20.40, respectively.

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307. (con.)

(c). The numerical subheading code number "9007.29" is deleted; the article description "Other:" is retained at its existing level of indentation.

(d). Subheadings 9007.29.40 and 9007.29.80 are redesignated as 9007.20.60 and 9007.20.80, respectively.

308(a). The article description of heading 9010 is modified by deleting the expression "apparatus for the projection" and inserting the expression "apparatus for the projection or drawing" in lieu thereof.

(b). Subheadings 9010.20 through 9010.30.00 are superseded by the following:

[Apparatus....:]			
"Apparatus for the projection or drawing of circuit patterns on sensitized semiconductor materials:			
9010.41.00	Direct write-on-transfer apparatus.....	Free	35%
9010.42.00	Step and repeat aligners.....	Free	35%
9010.49.00	Other.....	Free	35%
9010.50	Other apparatus and equipment for photographic (including cinematographic) laboratories; negatoscopes:		
9010.50.10	Contact printers.....	1.3%	Free (A,CA,E, IL,J,NK) 35%
9010.50.20	Developing tanks.....	2.3%	Free (A,E,IL,J, NK) 45%
			0.7% (CA)
Photographic film viewers, titlers, splicers and editors, all the foregoing and combinations thereof:			
Articles containing an optical lens or designed to contain such a lens:			
9010.50.30	Editors and combination editor-splicers, for cinematographic film.....	6.2%	Free (A,CA,E, IL,J,NK) 45%
9010.50.40	Other.....	7.2%	Free (A,CA,E, IL,J,NK) 45%
9010.50.50	Other.....	2.8%	Free (A,CA,E, IL,J,NK) 35%
9010.50.60	Other.....	Free	35%
9010.60.00	Projection screens.....	3.4%	Free (A,CA,E, IL,J,NK) 50%

309. The following new subheadings are inserted in numerical sequence:

[Instruments....:]			
[Electrodiagnostic....:]			
9018.12.00	Ultrasonic scanning apparatus.....	2.5%	Free (A,CA,E, IL,J,NK) 35%
9018.13.00	Magnetic resonance imaging apparatus.....	2.5%	Free (A,CA,E, IL,J,NK) 35%
9018.14.00	Scintigraphic apparatus.....	2.5%	Free (A,CA,E, IL,J,NK) 35%



310. Subheading 9022.11.00 is superseded by the following:

[Apparatus....]			
[Apparatus....]			
"9022.12.00	Computed tomography apparatus.....	1.3%	Free (A,E,IL,J, NK) 0.4% (CA)
9022.13.00	Other, for dental uses.....	1.3%	Free (A,E,IL,J, NK) 0.4% (CA)
9022.14.00	Other, for medical, surgical or veterinary uses.....	1.3%	Free (A,E,IL,J, NK) 0.4% (CA)

311(a). Subheadings 9025.20 through 9025.20.80 are deleted.

(b). The following new subheading 9025.80.15 is inserted in numerical sequence:

[Hydrometers....]			
[Other....]			
[Other:]			
"9025.80.15	Barometers, not combined with other instruments.....	2.1%	Free (A,C,E, IL,J,NK) 0.5% (CA)

312. Subheadings 9030.81 through 9030.89.80, inclusive, are superseded by the following:

[Oscilloscopes,....]			
[Other....]			
"9030.82.00	For measuring or checking semiconductor wafers or devices.....	Free	40%
9030.83.00	Other, with a recording device.....	3.6%	Free (A,B,C,E, IL,J,NK) 0.9% (CA)
9030.89.00	Other.....	3.6%	Free (A,B,C,E, IL,J,NK) 0.9% (CA)

313. Subheadings 9031.40 through 9031.40.90, inclusive, are superseded by the following:

[Measuring....]			
"Other optical instruments and appliances:			
9031.41.00	For inspecting semiconductor wafers or devices or for inspecting photomasks or reticles used in manufacturing semiconductor devices.....	Free	50%
9031.49	Other:		
9031.49.40	Coordinate-measuring machines.....	7.4%	Free (A,CA,E, IL,J,NK)
9031.49.80	Other.....	7.4%	Free (A,CA,E, IL,J,NK)

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**313. (con.)**

Conforming change: The article description for subheading 9031.90.45 is modified by deleting "9031.40.40" and by inserting in lieu thereof "9031.49.40".

**314(a).** The superior text immediately preceding subheading 9101.11 is modified by deleting the expression "battery powered" and inserting the expression "electrically operated" in lieu thereof.

(b). The article description, "Battery powered:", in subheading 9101.91 is replaced by the article description, "Electrically operated:".

**315(a).** The superior text immediately preceding subheading 9102.11 is modified by deleting the expression "battery powered" and inserting the expression "electrically operated" in lieu thereof.

(b). The article description, "Battery powered:", in subheading 9102.91 is replaced by the article description, "Electrically operated:".

**316.** The article description, "Battery powered:", in subheading 9103.10 is replaced by the article description, "Electrically operated:".

**317(a).** The article description, "Battery or AC powered:", in subheading 9105.11 is replaced by the article description, "Electrically operated:".

(b). The article description, "Battery or AC powered:", in subheading 9105.21 is replaced by the article description, "Electrically operated:".

(c). The article description, "Battery or AC powered:", in subheading 9105.91 is replaced by the article description, "Electrically operated:".

**318.** The superior text, "Battery powered:", immediately preceding subheading 9108.11 is replaced by the article description, "Electrically operated:".

**319.** The superior text, "Battery or AC powered:", immediately preceding subheading 9109.11 is replaced by the article description, "Electrically operated:".

**320.** Subdivision (m) of note 1 to chapter 95 is superseded by the following:

"(m) Pumps for liquids (heading 8413), filtering or purifying machinery and apparatus for liquids or gases (heading 8421), electric motors (heading 8501), electric transformers (heading 8504) or radio remote control apparatus (heading 8526);"

**321(a).** Subheading 9614.10.00 is deleted.

321. (con.)

(b). Subheading 9614.20.40 is superseded by the following:

	[Smoking....:]			
	[Pipes....:]			
	"Of wood or root:			
9614.20.10	Roughly shaped blocks of wood or			
	root, for the manufacture of			
	pipes.....	Free		10%
9614.20.15	Other.....	0.5¢ each + 3.7%	Free (A,E,I,L,J, RM) 0.1¢ each + 0.8% (CA)	5¢ each + 60%

322. Note 3 to chapter 97 is modified to read as follows:

"Heading 9703 does not apply to mass-produced reproductions or works of conventional craftsmanship of a commercial character, even if these articles are designed or created by artists."

323. Conforming changes in chapters 98 and 99 of the tariff schedule and other modifications:

(A). Modifications to chapter 98 of the tariff schedule--

(1). U.S. note 6 to subchapter X of chapter 98 is modified by deleting:

(a). from subdivision (a)(vii) the expression "subheading 7508.00.50" and by inserting in lieu thereof the expression "subheadings 7508.10 and 7508.90.50";

(b). from subdivision (a)(viii) the expression "subheading 7616.90" and by inserting in lieu thereof the expression "subheadings 7616.91 and 7616.99.50";

(c). from subdivision (a)(x) the subheading number "7907.90.60" and by inserting in lieu thereof "7907.00.60";

(d). from subdivision (a)(xiv) the expression "and 8548.00;" and by inserting in lieu thereof "and 8548.90;" and

(e). from subdivision (a)(xv) the subheading number "8802.50.90" at each instance and by inserting in lieu thereof "8802.60.90".

(2). U.S. note 2 to subchapter XVII of chapter 98 is modified by deleting:

(a). from subdivision (f) the expression "7018.90 and 7019.20" and by inserting in lieu thereof "7018.90, 7019.40, 7019.51, 7019.52 and 7019.59";

(b). from subdivision (c) the expression "(except subheading 7907.10)" and by inserting in lieu thereof "(except gutters, roof capping, skylight frames and other fabricated building components, of zinc)"; and

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323. (con.):

(A). (con.)--

(2). (con.):

(c). from subdivision (u) the expression "8519.91" and by inserting in lieu thereof "8519.92"; such subdivision is further modified by deleting the expression "subheadings 8532.90, 8539.90, 8543.10, 8543.20, 8543.30, 8543.80.60, 8543.80.85, 8543.80.94, 8543.80.98, 8543.90, 8544.70, 8546.90, 8547.20 and 8548.00" and by inserting in lieu thereof "subheadings 8532.90 and 8539.90, subheadings 8543.11 through 8543.81, subheadings 8543.89.60, 8543.89.80, 8543.89.85, 8543.89.90, 8543.90, 8544.70, 8546.90, 8547.20 and 8548.90)".

(3). The superior text immediately preceding subheading 9817.00.80 is modified by deleting the expression "section VI or in chapter 26" and by inserting in lieu thereof "section VI, chapter 26 or subheading 8548.10".

(4). Heading 9817.82.01 is modified by deleting "8207.12.60" and by inserting in lieu thereof "8207.19.60".

(B). Modifications to chapter 99 of the tariff schedule--

(1). The article description of heading 9901.00.50 is modified by deleting the subheading number "3823" and by inserting in lieu thereof "3824".

(2). The article description of heading 9902.08.07 is modified by deleting the subheading number "0807.10.20" and by inserting in lieu thereof "0807.19.10".

(3). The article description of subheading 9903.23.20 is modified by deleting the subheading number "2101.10.21" and by inserting in lieu thereof "2101.11.21".

(4). The article description of subheading 9903.41.15 is modified by deleting the subheading number "8471.20" and by inserting in lieu thereof "8471.30 or 8471.41".

(5). The article descriptions of subheadings 9903.41.20 and 9903.41.25 are each modified by deleting the subheading number "8471.91" and by inserting in lieu thereof "8471.49.10 or 8471.50".

(6). The article descriptions of subheadings 9903.41.40 and 9903.41.45 are each modified by deleting the subheading numbers "8528.10.28, 8528.10.48, 8528.10.77 or 8528.10.79" and by inserting in lieu thereof "8528.12.32, 8528.12.48 or 8528.12.88".

(7)(a). The superior text to subheadings 9904.17.17 through 9904.17.48 beginning with the word "Articles", the superior text immediately preceding subheading 9904.17.31, and the article description of subheading 9904.17.46 are each modified by deleting the subheading number "2101.10.48" and by inserting in lieu thereof "2101.12.48".

(b). The superior text to subheadings 9904.17.49 through 9904.17.65 beginning with the word "Articles" and the article description of subheading 9904.17.59 are each modified by deleting the subheading number "2101.10.58" and by inserting in lieu thereof "2101.12.58".

323. (con.):

(B). (con.)--

(7). (con.)

(c). The superior text to subheadings 9904.17.66 through 9904.17.84 beginning with the word "Blended" and the article description of subheading 9904.17.81 are each modified by deleting the subheading number "2101.10.38" and by inserting in lieu thereof "2101.12.38".

(8). The article description of subheading 9905.00.00 is modified by deleting the subheading numbers "4010.10", "7318.23", "7508.00", "7616.90", "8520.31", "8548.00", and "9030.81" from the listing of headings and subheadings and by inserting the following numbers in numerical sequence therein:

"4010.21.30	7616.91
4010.21.60	7616.99
4010.22.30	8528.32
4010.22.60	8520.33
4010.29.10	8548.90
4010.29.20	9030.83"
7508.10	
7508.90	

(9). The article description of subheading 9905.00.20 is modified by inserting after "4412.19" the subheading number ", 4412.92".

(10). The article description of subheading 9905.00.30 is modified by deleting the subheading numbers "5407.60.91" and "5407.60.99" from the enumeration of headings and subheadings and by inserting in numerical sequence the following numbers: "5407.61.91", "5407.61.99", "5407.69.20", "5407.69.40", and "5407.69.90".

(11). The article description of subheading 9905.40.15 is modified by deleting the subheading number "4010.99" and by inserting in lieu thereof "4010.23 or 4010.29".

(12). The article descriptions of subheadings 9905.56.10 and 9905.56.20 are each modified by deleting "5603.00" and by inserting in lieu thereof "5603".

(13). The article description of subheading 9905.70.10 is modified by deleting the expression "heading 7019.20" and by inserting in lieu thereof "subheading 7019.40, 7019.51, 7019.52 or 7019.59".

(14). The article description of subheading 9905.72.10 is modified by deleting the subheading numbers "7217.13, 7217.23 or 7217.33" and by inserting in lieu thereof "7217.30".

(15). The article description of subheading 9905.72.20 is modified by deleting the subheading number "7217.31.30" and by inserting in lieu thereof "7217.10.80".

(16). The article description of subheading 9905.72.30 is modified by deleting the subheading number "7217.32.10" and by inserting in lieu thereof "7217.20.45".

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323. (con.):

(B). (con.)--

(17). The article description of subheading 9905.76.30 is modified by deleting the subheading number "7616.90.50" and by inserting in lieu thereof "7616.99.50".

(18). The article description of subheading 9905.79.10 is modified by deleting the subheading number "7907.90.60" and by inserting in lieu thereof "7907.00.60".

(19). The article description of subheading 9905.82.35 is modified by deleting the expression "or 8211.91.60" and by inserting in lieu thereof ", 8211.91.80 or 8211.95.10".

(20). The article description of subheading 9905.85.21 is modified by deleting the subheading number "8506.11.00" and by inserting in lieu thereof "8506.10 having an external volume not exceeding 300 cm<sup>3</sup>".

(21). The article description of subheading 9905.85.22 is modified by deleting the subheading number "8506.19.00" and inserting in lieu thereof "8506.50 having an external volume not exceeding 300 cm<sup>3</sup>".

(22). The article description of subheading 9905.85.23 is modified by deleting the subheading number "8506.20.00" and by inserting in lieu thereof "8506.10 through 8506.80 having an external volume exceeding 300 cm<sup>3</sup>".

(23). The article description of subheading 9905.85.25 is modified--

(a). by deleting the subheading number "8506.11.00" and by inserting in lieu thereof "8506.10 having an external volume not exceeding 300 cm<sup>3</sup>";

(b). by deleting the subheading numbers "8506.12.00 or 8506.13.00" and by inserting in lieu thereof "8506.30.10 or 8506.40.10"; and

(c). by deleting the expression "parts of dry cell batteries of subheading 8506.20.00 other than 6 volt alkaline lantern batteries" and by inserting in lieu thereof "parts of dry cell batteries having an external volume exceeding 300 cm<sup>3</sup> of subheadings 8506.10 through 8506.80 other than 6 volt alkaline lantern batteries".

(24). The article description of subheading 9905.85.55 is modified by deleting the subheading number "8527.11," and by inserting in lieu thereof "8525.40, 8527.12, 8527.13,".

(25). The immediately superior text to subheading 9906.08.07 is modified by deleting "0807.10.20" and by inserting in lieu thereof "0807.19.20".

(26). The immediately superior text to subheading 9906.08.09 is modified by deleting "0807.10.40" and by inserting in lieu thereof "0807.11.40".

(27). The immediately superior text to subheading 9906.08.12 is modified by deleting "0807.10.70" and by inserting in lieu thereof "0807.19.70".

323. (con.):

(B). (con.)--

(28)(a). The immediately superior text to subheading 9906.21.01 is modified by deleting "2101.10.48" and by inserting in lieu thereof "2101.12.48".

(b). The immediately superior text to subheading 9906.21.04 is modified by deleting "2101.10.38" and by inserting in lieu thereof "2101.12.38".

(c). The immediately superior text to subheading 9906.21.07 is modified by deleting "2101.10.58" and by inserting in lieu thereof "2101.12.58".

(29). The immediately superior text to subheading 9906.38.03 is modified by deleting "3823.90.45" and by inserting in lieu thereof "3824.90.45".

(30). Subheading 9906.56.01 and heading 9907.56.01 are each modified by deleting "subheading 5603.00.90" and by inserting in lieu thereof "heading 5603".

(31). The article description of heading 9907.48.03 is modified by deleting "4823.30" and by inserting in lieu thereof "4823.90.30".

(32). Heading 9907.84.15 is modified by deleting "8471.92.52" and by inserting in lieu thereof "8471.49.37 or 8471.60.57".

(33). Heading 9907.85.02 is modified by deleting "8524.23.10" and by inserting in lieu thereof "8524.53.10".

(C). Other modifications

(1). The Chemical Abstracts Service (CAS) registry number "8063-82-9" listed in the Pharmaceutical Appendix to the HTS for the product described by the International Non-proprietary Name of Hypromellose is deleted and the CAS number "9004-65-3" is inserted in lieu thereof.

(2). Headings 9902.29.28 and 9902.38.23 are deleted.

(3). Subheadings 9906.29.25 through 9906.29.27, inclusive, are deleted.

(4). Heading 9907.38.02 is deleted.

Section A. Continuation of previously proclaimed staged reductions of the rates of duty in the Rates of Duty 1-General subcolumn.

(1). For each of the following subheadings, the Rates of Duty 1-General subcolumn is modified (i) by deleting the rate of duty in such subcolumn and inserting, on January 1, the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) on January 1 for each of the subsequent dated columns the rates of duty in the Rates of Duty 1-General subcolumn are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003	2004
2101.12.30	34.1¢/kg + 9.3%	33.3¢/kg + 9.2%	32.5¢/kg + 9%	31.4¢/kg + 8.8%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%
2101.12.48	34.1¢/kg + 9.3%	33.3¢/kg + 9.2%	32.5¢/kg + 9%	31.4¢/kg + 8.8%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%
2101.12.58	34.1¢/kg + 9.3%	33.3¢/kg + 9.2%	32.5¢/kg + 9%	31.4¢/kg + 8.8%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%
2101.12.90	9.3%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
2208.90.46	11.4¢/pf. liter	10.8¢/pf. liter	10¢/pf. liter	9.2¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter
2953.39.61	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2953.39.91	5¢/kg + 14.3%	2.4¢/kg + 13.3%	2.8¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	0.3%
3824.40.10	3¢/kg + 12.2%	2.4¢/kg + 11.3%	2.3¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.4%	0.7¢/kg + 7.5%	0.4¢/kg + 6.5%	0.3%
3824.60.00	5.9%	5.4%	5.2%	5%	4.9%	4.8%	4.9%	4.9%	4.9%
3824.90.19	8.6%	7.9%	7.2%	6.5%	6.3%	6.3%	6.3%	6.3%	6.3%
3824.90.22	5¢/kg + 14.3%	2.4¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	0.3%
3824.90.23	5¢/kg + 12.2%	2.4¢/kg + 11.3%	2.8¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.4%	0.7¢/kg + 7.5%	0.4¢/kg + 6.5%	0.3%
3824.90.28	5¢/kg + 12.2%	2.4¢/kg + 11.3%	2.3¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.4%	0.7¢/kg + 7.5%	0.4¢/kg + 6.5%	0.3%
3824.90.31	6.8%	6.7%	6.6%	6.5%	6.3%	6.3%	6.3%	6.3%	6.3%
3824.90.32	15.3%	14.2%	13.1%	12%	10.9%	9.8%	8.7%	7.6%	6.5%
3824.90.35	8.6%	7.9%	7.2%	6.5%	6.3%	6.3%	6.3%	6.3%	6.3%
3824.90.36	7%	6.9%	6.7%	6.5%	6.3%	6.3%	6.3%	6.3%	6.3%
3824.90.45	6.8%	6.7%	6.6%	6.5%	6.3%	6.3%	6.3%	6.3%	6.3%
3824.90.46	15.7%	14.6%	13.4%	12.2%	11.1%	10%	8.8%	7.6%	6.5%



Annex III (con.)  
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## Section A. (continued)

## (1). (con.)

HTS Provision	1996	1997	1998	1999	2000	2001	2002	2003	2004
7003.12.00	1.6%	1.6%	1.5%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
7004.20.10	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
7004.20.20	1.24/kg +	1.16/kg +	1.16/kg +	1e/kg +	1e/kg +	1e/kg +	1e/kg +	1e/kg +	1e/kg +
	1.8%	1.8%	1.7%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
7414.20.60	7.2%	5.8%	4.4%	3%	3%	3%	3%	3%	3%
7414.20.90	3.7%	3.4%	3.2%	3%	3%	3%	3%	3%	3%
8005.00.10	5.4%	4.4%	3.8%	3%	3%	3%	3%	3%	3%
8005.00.20	3.4%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8202.39.00	1.9%	1.2%	0.4%	Free	Free	Free	Free	Free	Free
8207.13.00	5.8%	5%	4.3%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
8207.19.30	6.3%	5.9%	5.4%	5%	5%	5%	5%	5%	5%
8207.19.60	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8211.91.80	0.44 each +	0.34 each +	0.34 each +	0.34 each +	0.34 each +	0.34 each +	0.34 each +	0.34 each +	0.34 each +
	5.6%	5.4%	5.1%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
8517.30.10	3.7%	3.3%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%	2.3%
8802.40.90	2.2%	1.3%	0.7%	Free	Free	Free	Free	Free	Free
9007.20.20	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
9007.20.40	6.2%	5.7%	5.3%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
9007.20.60	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
9007.20.80	5.6%	4.9%	4.2%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%

Section A. (continued)

(2). For each of the following provisions, the Rates of Duty 1-General subcolumn is modified (i) by deleting the rate of duty in such subcolumn and inserting, on January 1, the rate of duty specified for such provision in the first dated column in the table below in lieu thereof, and (ii) on January 1 for each of the subsequent dated columns the rates of duty in the Rates of Duty 1-General subcolumn are deleted and the following rates of duty are inserted in such provisions in lieu thereof on the date specified.

HTS Provision	1977	1978	1979	2000	2001	2002	2003	2004
0105.12.00	1.54 each	1.34 each	1.14 each	0.94 each	0.94 each	0.94 each	0.94 each	0.94 each
0105.19.00	1.54 each	1.34 each	1.14 each	0.94 each	0.94 each	0.94 each	0.94 each	0.94 each
0105.92.00	3.26/kg	2.86/kg	2.46/kg	2.06/kg	2.06/kg	2.06/kg	2.06/kg	2.06/kg
0105.95.00	3.26/kg	2.86/kg	2.46/kg	2.06/kg	2.06/kg	2.06/kg	2.06/kg	2.06/kg
0207.11.00	9.94/kg	9.54/kg	9.14/kg	8.74/kg	8.74/kg	8.74/kg	8.74/kg	8.74/kg
0207.12.00	9.94/kg	9.54/kg	9.14/kg	8.74/kg	8.74/kg	8.74/kg	8.74/kg	8.74/kg
0207.13.00	19.86/kg	19.14/kg	18.36/kg	17.64/kg	17.64/kg	17.64/kg	17.64/kg	17.64/kg
0207.14.00	19.86/kg	19.14/kg	18.36/kg	17.64/kg	17.64/kg	17.64/kg	17.64/kg	17.64/kg
0207.24.00	14.94/kg	14.26/kg	13.46/kg	12.66/kg	12.66/kg	12.66/kg	12.66/kg	12.66/kg
0207.25.20	9.94/kg	9.54/kg	9.14/kg	8.74/kg	8.74/kg	8.74/kg	8.74/kg	8.74/kg
0207.25.40	11.34	10.84	10.44	10.04	10.04	10.04	10.04	10.04
0207.26.00	19.86/kg	19.14/kg	18.36/kg	17.64/kg	17.64/kg	17.64/kg	17.64/kg	17.64/kg
0207.27.00	19.86/kg	19.14/kg	18.36/kg	17.64/kg	17.64/kg	17.64/kg	17.64/kg	17.64/kg
0207.32.00	9.94/kg	9.54/kg	9.14/kg	8.74/kg	8.74/kg	8.74/kg	8.74/kg	8.74/kg
0207.33.00	9.94/kg	9.54/kg	9.14/kg	8.74/kg	8.74/kg	8.74/kg	8.74/kg	8.74/kg
0207.34.00	19.86/kg	19.14/kg	18.36/kg	17.64/kg	17.64/kg	17.64/kg	17.64/kg	17.64/kg
0207.35.00	19.86/kg	19.14/kg	18.36/kg	17.64/kg	17.64/kg	17.64/kg	17.64/kg	17.64/kg
0207.36.00	19.86/kg	19.14/kg	18.36/kg	17.64/kg	17.64/kg	17.64/kg	17.64/kg	17.64/kg
0405.10.20	51.677/kg	51.632/kg	51.586/kg	51.541/kg	51.541/kg	51.541/kg	51.541/kg	51.541/kg
0405.20.30	52.112/kg	52.112/kg	52.055/kg	51.996/kg	51.996/kg	51.996/kg	51.996/kg	51.996/kg
0405.20.40	14.34/kg	13.94/kg	13.54/kg	13.14/kg	13.14/kg	13.14/kg	13.14/kg	13.14/kg
0405.20.70	76.44/kg + 9.24	76.44/kg + 9%	72.54/kg + 8.06	70.44/kg + 8.54	70.44/kg + 8.54	70.44/kg + 8.54	70.44/kg + 8.54	70.44/kg + 8.54
0405.20.80	8.24	7.64	7%	6.44	6.44	6.44	6.44	6.44
0405.90.20	52.03/kg + 9.24	51.975/kg + 9%	51.92/kg + 8.06	51.865/kg + 8.54	51.865/kg + 8.54	51.865/kg + 8.54	51.865/kg + 8.54	51.865/kg + 8.54
0402.90.40	4.54	4.24	3.94	3.54	3.54	3.54	3.54	3.54

## Annex III (con.)

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## Section A. (continued)

(2). (con.)	1997	1998	1999	2000	2001	2002	2003	2004
HTS Provision								
0602.90.50	1.8e/kg	1.7e/kg	1.5e/kg	1.4e/kg	1.4e/kg	1.4e/kg	1.4e/kg	1.4e/kg
0712.90.30	2.4e/kg	2.5e/kg	2.4e/kg	2.3e/kg	2.3e/kg	2.3e/kg	2.3e/kg	2.3e/kg
0714.20.10	6.5%	6.3%	6.2%	6%	6%	6%	6%	6%
0714.20.20	7.3%	5.4%	5.4%	4.5%	4.5%	4.5%	4.5%	4.5%
0714.90.45	6.5%	6.3%	6.2%	6%	6%	6%	6%	6%
0807.11.30	14.5%	12.7%	10.8%	9%	9%	9%	9%	9%
0807.11.40	18.5%	18%	17.5%	17%	17%	17%	17%	17%
0807.19.10	16.4%	15.2%	14%	12.8%	12.8%	12.8%	12.8%	12.8%
0807.19.20	32.4%	31.5%	30.7%	29.8%	29.8%	29.8%	29.8%	29.8%
0807.19.50	2.6%	2.2%	1.9%	1.6%	1.6%	1.6%	1.6%	1.6%
0807.19.60	10.2%	8.9%	7.6%	6.3%	6.3%	6.3%	6.3%	6.3%
0807.19.70	7%	6.4%	5.9%	5.4%	5.4%	5.4%	5.4%	5.4%
0807.19.80	31.5%	30.3%	29.2%	28%	28%	28%	28%	28%
0901.90.20	2.4e/kg	2.1e/kg	1.8e/kg	1.5e/kg	1.5e/kg	1.5e/kg	1.5e/kg	1.5e/kg
1602.32.00	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1702.11.00	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1702.19.00	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1704.90.35	6.3%	6.1%	5.8%	5.6%	5.6%	5.6%	5.6%	5.6%
1904.20.10	6.3%	6.1%	5.8%	5.6%	5.6%	5.6%	5.6%	5.6%
1904.20.90	16.2%	15.8%	15.3%	14.9%	14.9%	14.9%	14.9%	14.9%
2005.90.30	6.2%	5.7%	5.2%	4.8%	4.8%	4.8%	4.8%	4.8%
2106.90.12	5.4e/kg +	5e/kg +	4.6e/kg +	4.2e/kg +	4.2e/kg +	4.2e/kg +	4.2e/kg +	4.2e/kg +
2106.90.15	2.5%	2.3%	2.1%	1.9%	1.9%	1.9%	1.9%	1.9%
2106.90.18	10.8e/kg +	10e/kg +	9.2e/kg +	8.4e/kg +	8.4e/kg +	8.4e/kg +	8.4e/kg +	8.4e/kg +
2106.90.18	2.5%	2.3%	2.1%	1.9%	1.9%	1.9%	1.9%	1.9%
2106.90.18	21.8e/kg +	20.2e/kg +	18.6e/kg +	17e/kg +	17e/kg +	17e/kg +	17e/kg +	17e/kg +
2208.60.10	2.5%	2.3%	2.1%	1.9%	1.9%	1.9%	1.9%	1.9%
	55.4e/pf. liter	51.4e/pf. liter	47.4e/pf. liter	43.5e/pf. liter	43.5e/pf. liter	43.5e/pf. liter	43.5e/pf. liter	43.5e/pf. liter

## Section A. (continued)

(2). (con.)		1997	1998	1999	2000	2001	2002	2003	2004
HTS	Provision								
	2208.60.20	10.8e/pf. liter	10e/pf. liter	9.2e/pf. liter	8.4e/pf. liter	8.4e/pf. liter	8.4e/pf. liter	8.4e/pf. liter	8.4e/pf. liter
	2208.60.50	27.1e/pf. liter	25.1e/pf. liter	23.1e/pf. liter	21.1e/pf. liter	21.1e/pf. liter	21.1e/pf. liter	21.1e/pf. liter	21.1e/pf. liter
	2208.70.00	10.8e/pf. liter	10e/pf. liter	9.2e/pf. liter	8.4e/pf. liter	8.4e/pf. liter	8.4e/pf. liter	8.4e/pf. liter	8.4e/pf. liter
	2306.70.00	0.51e/kg	0.45e/kg	0.38e/kg	0.32e/kg	0.32e/kg	0.32e/kg	0.32e/kg	0.32e/kg
	2513.20.90	0.3e/kg	0.1e/kg	Free	Free	Free	Free	Free	Free
	2707.60.10	1e/kg + 3.3%	0.9e/kg + 3.1%	0.9e/kg + 3%	0.9e/kg + 3%	0.9e/kg + 3%	0.9e/kg + 3%	0.9e/kg + 3%	0.9e/kg + 3%
	2836.99.20	6.1%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
	2905.29.10	6.3%	5.9%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
	2914.31.00	10%	9.3%	8.7%	8.1%	7.4%	6.8%	6.1%	5.5%
	2914.39.90	10%	9.3%	8.7%	8.1%	7.4%	6.8%	6.1%	5.5%
	2914.40.20	9.4%	8.8%	8.2%	7.7%	7.2%	6.6%	6%	5.5%
	2914.40.40	9.4%	8.8%	8.2%	7.7%	7.2%	6.6%	6%	5.5%
	2916.34.10	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
	2916.34.15	10.3%	9.7%	9.2%	8.7%	8.1%	7.6%	7%	6.5%
	2916.34.25	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
	2916.34.55	2.6e/kg + 12.5%	2.2e/kg + 10.7%	1.8e/kg + 9%	1.5e/kg + 7.2%	1.1e/kg + 5.4%	0.7e/kg + 3.6%	0.4e/kg + 1.8%	Free
	2916.35.15	10.3%	9.7%	9.2%	8.7%	8.1%	7.6%	7%	6.5%
	2916.35.25	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
	2916.35.55	2.6e/kg + 12.5%	2.2e/kg + 10.7%	1.8e/kg + 9%	1.5e/kg + 7.2%	1.1e/kg + 5.4%	0.7e/kg + 3.6%	0.4e/kg + 1.8%	Free
	2922.43.10	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
	2922.43.50	2.6e/kg + 12.9%	2.2e/kg + 12%	1.8e/kg + 11%	1.5e/kg + 10.1%	1.1e/kg + 8.3%	0.7e/kg + 6.5%	0.4e/kg + 4.7%	6.5%
	2926.22.00	14.6%	13.5%	12.3%	11.1%	10%	8.8%	7.7%	6.5%
	2932.91.00	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
	2932.92.00	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
	2932.94.00	6.8%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%

## Annex III (con.)

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## Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
2932.99.08	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2932.99.20	9.7%	9.3%	8.8%	8.3%	7.9%	7.4%	7%	6.5%
2932.99.35	7%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2932.99.60	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2932.99.70	2.6%/kg + 13.3%	2.2%/kg + 12.3%	1.8%/kg + 11.4%	1.5%/kg + 10.4%	1.1%/kg + 9.4%	0.7%/kg + 8.4%	0.4%/kg + 7.5%	0.4%/kg + 6.5%
2933.32.10	2.6%/kg + 13.3%	2.2%/kg + 12.3%	1.8%/kg + 11.4%	1.5%/kg + 10.4%	1.1%/kg + 9.4%	0.7%/kg + 8.4%	0.4%/kg + 7.5%	0.4%/kg + 6.5%
2933.32.50	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
3302.10.40	10.8%/kg + 2.5%	10%/kg + 2.3%	9.2%/kg + 2.1%	8.4%/kg + 1.9%	8.4%/kg + 1.9%	8.4%/kg + 1.9%	8.4%/kg + 1.9%	8.4%/kg + 1.9%
3302.10.50	21.8%/kg + 2.5%	20.2%/kg + 2.3%	18.6%/kg + 2.1%	17%/kg + 1.9%	17%/kg + 1.9%	17%/kg + 1.9%	17%/kg + 1.9%	17%/kg + 1.9%
3302.10.90	2.5%	1.3%	Free	Free	Free	Free	Free	Free
3304.99.50	2%	1%	Free	Free	Free	Free	Free	Free
3306.20.00	2.2%	1.1%	Free	Free	Free	Free	Free	Free
3502.11.00	53.6%/kg 10.9%/kg	51.6%/kg 10.5%/kg	49.6%/kg 10.1%/kg	47.6%/kg 9.7%/kg	47.6%/kg 9.7%/kg	47.6%/kg 9.7%/kg	47.6%/kg 9.7%/kg	47.6%/kg 9.7%/kg
3823.11.00	2.7%/kg + 4.9%	2.5%/kg + 4.5%	2.3%/kg + 4.2%	2.1%/kg + 3.8%	2.1%/kg + 3.8%	2.1%/kg + 3.8%	2.1%/kg + 3.8%	2.1%/kg + 3.8%
3823.12.00	2.7%/kg + 4.1%	2.5%/kg + 3.8%	2.3%/kg + 3.5%	2.1%/kg + 3.2%	2.1%/kg + 3.2%	2.1%/kg + 3.2%	2.1%/kg + 3.2%	2.1%/kg + 3.2%
3823.13.00	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
3823.19.20	3.6%	3.2%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%
3823.19.40	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
3823.70.20	6.5%	6%	5.6%	5.1%	5.1%	5.1%	5.1%	5.1%
3823.70.40	3.5%	3%	2.5%	2%	2%	2%	2%	2%
3823.70.60	3.1%	2.8%	2.6%	2.4%	2.4%	2.4%	2.4%	2.4%
3901.90.55	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
3901.90.90	0.9%/kg + 7%	0.4%/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
4010.11.00	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%

## Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
4010.12.10	6.5%	6.3%	6.1%	6.1%	6.1%	6.1%	6.1%	6.1%
4010.12.55	7%	6.7%	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%
4010.12.90	2.1%	2%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4010.13.00	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4010.19.10	6.5%	6.3%	6.1%	6.1%	6.1%	6.1%	6.1%	6.1%
4010.19.55	7%	6.7%	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%
4010.19.80	2.1%	2%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
4010.19.90	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4010.21.30	6.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4010.21.60	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
4010.22.30	6.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4010.22.60	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
4010.23.30	6.5%	6.3%	6.1%	6.1%	6.1%	6.1%	6.1%	6.1%
4010.23.45	7%	6.7%	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%
4010.23.50	2.1%	2%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
4010.23.90	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4010.24.30	6.5%	6.3%	6.1%	6.1%	6.1%	6.1%	6.1%	6.1%
4010.24.45	7%	6.7%	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%
4010.24.50	2.1%	2%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
4010.24.90	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4010.29.10	6.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4010.29.20	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
4010.29.30	6.5%	6.3%	6.1%	6.1%	6.1%	6.1%	6.1%	6.1%
4010.29.45	7%	6.7%	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%
4010.29.50	2.1%	2%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
4010.29.90	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4410.11.00	1.6%	0.6%	Free	Free	Free	Free	Free	Free
4410.19.00	1.6%	0.6%	Free	Free	Free	Free	Free	Free
4412.13.05	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4412.14.05	1.2%	0.6%	Free	Free	Free	Free	Free	Free

Annex III (con.)  
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Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
4412.16.25	6.3%	5.7%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
4412.19.10	2%	1%	Free	Free	Free	Free	Free	Free
4412.19.30	4.2%	3.6%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4412.19.40	12.8%	10.4%	8%	8%	8%	8%	8%	8%
4412.19.50	6.3%	5.7%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
4412.22.05	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.22.10	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4412.22.50	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.23.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.29.15	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4412.29.55	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.92.05	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.92.10	2%	1%	Free	Free	Free	Free	Free	Free
4412.92.30	4.2%	3.6%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4412.92.40	12.8%	10.4%	8%	8%	8%	8%	8%	8%
4412.92.50	6.3%	5.7%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
4412.92.90	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.93.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.99.15	2%	1%	Free	Free	Free	Free	Free	Free
4412.99.35	4.2%	3.6%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4412.99.45	12.8%	10.4%	8%	8%	8%	8%	8%	8%
4412.99.55	6.3%	5.7%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
4412.99.95	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4807.90.10	2%	1.7%	1.4%	1.1%	0.8%	0.3%	0.3%	Free
4807.90.20	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
4823.90.30	2.7%	2.3%	2%	1.6%	1.2%	0.8%	0.4%	Free
5407.61.11	22.8%/kg + 21.2%	22.3%/kg + 20.7%	21.8%/kg + 20.2%	21.4%/kg + 19.8%	20.9%/kg + 19.4%	20.4%/kg + 18.9%	19.9%/kg + 18.4%	Free 19.4%/kg + 18%
5407.61.19	22.8%/kg + 21.2%	22.3%/kg + 20.7%	21.8%/kg + 20.2%	21.4%/kg + 19.8%	20.9%/kg + 19.4%	20.4%/kg + 18.9%	19.9%/kg + 18.4%	Free 19.4%/kg + 18%
5407.61.21	20.7%/kg + 19.1%	19.5%/kg + 18%	18.2%/kg + 16.9%	17%/kg + 15.8%	15.8%/kg + 14.7%	14.6%/kg + 13.5%	13.4%/kg + 12.4%	Free 12.2%/kg + 11.3%

## Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
5407.61.29	20.7e/kg + 19.1%	19.5e/kg + 18%	18.2e/kg + 16.9%	17e/kg + 15.8%	15.8e/kg + 14.7%	14.6e/kg + 13.5%	13.4e/kg + 12.4%	12.2e/kg + 11.3%
5407.61.91	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.61.99	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.69.10	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.69.20	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.69.30	17e/kg + 15.8%	14.6e/kg + 13.5%	12.2e/kg + 11.2%	9.7e/kg + 9%	7.3e/kg + 6.8%	4.9e/kg + 4.5%	2.4e/kg + 2.2%	Free
5407.69.40	16.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
5407.69.90	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5603.11.00	5%	2.5%	Free	Free	Free	Free	Free	Free
5603.12.00	5%	2.5%	Free	Free	Free	Free	Free	Free
5603.13.00	5%	2.5%	Free	Free	Free	Free	Free	Free
5603.14.30	6.4%	3.2%	Free	Free	Free	Free	Free	Free
5603.14.90	5%	2.5%	Free	Free	Free	Free	Free	Free
5603.91.00	5%	2.5%	Free	Free	Free	Free	Free	Free
5603.92.00	5%	2.5%	Free	Free	Free	Free	Free	Free
5603.93.00	5%	2.5%	Free	Free	Free	Free	Free	Free
5603.94.10	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
5603.94.30	6.4%	3.2%	Free	Free	Free	Free	Free	Free
5603.94.90	5%	2.5%	Free	Free	Free	Free	Free	Free
6115.12.10	2.3%	1.2%	Free	Free	Free	Free	Free	Free
6115.12.20	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6115.19.20	2.3%	1.2%	Free	Free	Free	Free	Free	Free
6115.19.40	12.7%	11.2%	9.8%	8.4%	6.9%	5.5%	4%	2.6%
6115.19.80	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6115.92.30	2.3%	1.2%	Free	Free	Free	Free	Free	Free
6115.92.40	17%	16%	15%	14%	13%	12%	11%	10%
6115.92.90	14.1%	14%	14%	13.9%	13.8%	13.7%	13.6%	13.5%
6115.93.30	2.3%	1.2%	Free	Free	Free	Free	Free	Free
6115.93.40	19.6%	19.5%	19.4%	19.3%	19.2%	19%	18.9%	18.8%
6115.93.90	15.2%	15.1%	15%	15%	14.9%	14.8%	14.7%	14.6%



Annex III (con.)  
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Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
6305.32.00	9.2%	9.1%	9%	8.8%	8.7%	8.6%	8.5%	8.4%
6305.33.00	9.2%	9.1%	9%	8.8%	8.7%	8.6%	8.5%	8.4%
6402.12.00	2.4%	1.2%	Free	Free	Free	Free	Free	Free
6403.12.60	4%	2%	Free	Free	Free	Free	Free	Free
6909.12.00	5.6%	4.8%	4%	4%	4%	4%	4%	4%
7010.20.20	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7010.20.30	6.1%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7010.91.20	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7010.91.30	6.1%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7010.92.20	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7010.92.30	6.1%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7010.93.20	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7010.93.30	6.1%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7010.94.20	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7010.94.30	6.1%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7019.11.00	5.4%	5.2%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7019.12.00	5.3%	5%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%
7019.19.15	7.1%	7%	7%	6.9%	6.8%	6.7%	6.6%	6.5%
7019.19.28	8.6%	8.6%	8.3%	8%	7.8%	7.5%	7.3%	7%
7019.19.30	5.4%	5.2%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7019.31.00	5.1%	4.7%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
7019.32.00	5.1%	4.7%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
7019.39.10	5.4%	5.2%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7019.39.50	5.4%	5.2%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7019.40.40	8%	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%
7019.40.80	9.9%	9.5%	9%	8.6%	8.2%	7.8%	7.4%	7%
7019.52.40	8%	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%
7019.52.90	9.9%	9.5%	9%	8.6%	8.2%	7.8%	7.4%	7%
7019.59.40	8%	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%
7019.59.90	9.9%	9.5%	9%	8.6%	8.2%	7.8%	7.4%	7%

## Proclamations

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## Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
7019.90.10	5.6%	5.2%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%
7019.90.50	5.1%	4.7%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
7101.22.30	0.8%	0.4%	Free	Free	Free	Free	Free	Free
7101.22.60	0.8%	0.4%	Free	Free	Free	Free	Free	Free
7116.10.25	7.7%	6.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
7201.50.60	0.1%	Free	Free	Free	Free	Free	Free	Free
7208.10.15	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.10.30	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.10.60	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.25.30	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.25.60	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.26.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.27.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.36.00	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.37.00	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.38.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.39.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.40.30	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.40.60	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.51.00	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.52.00	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.53.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.54.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.90.00	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.15.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.16.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.17.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.18.15	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.18.25	2.2%	1.9%	1.6%	1.3%	1%	0.6%	0.3%	Free
7209.18.60	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free

Annex III (con.)  
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Section A. (continued)

(2). (con.)

NTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
7209.25.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.26.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.27.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.28.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.90.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7210.30.00	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7210.61.00	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7210.69.00	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7211.13.00	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7211.14.00	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7211.19.15	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7211.19.20	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7211.19.30	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7211.19.45	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7211.19.60	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7211.19.75	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7211.23.15	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7211.23.20	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7211.23.30	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7211.23.45	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
7211.23.60	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7211.29.20	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7211.29.45	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
7211.29.60	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7211.90.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7212.20.00	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7213.10.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7213.20.00	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7213.91.30	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7213.91.45	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
7213.91.60	1.6%	1.4%	1.2%	0.9%	0.7%	0.5%	0.2%	Free
7213.99.00	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7214.30.00	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7214.91.00	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7214.99.00	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7215.50.00	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7216.61.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7216.69.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7216.91.00	3.1%	2.6%	2.2%	1.8%	1.3%	0.9%	0.4%	Free
7216.99.00	3.1%	2.6%	2.2%	1.8%	1.3%	0.9%	0.4%	Free
7217.10.10	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
7217.10.20	2.2%	1.9%	1.6%	1.3%	1%	0.6%	0.3%	Free
7217.10.30	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7217.10.40	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.10.50	1%	0.9%	0.8%	0.6%	0.4%	0.3%	0.2%	Free
7217.10.60	3.8%	3.3%	2.8%	2.2%	1.6%	1.1%	0.6%	Free
7217.10.70	2.2%	1.9%	1.6%	1.3%	1%	0.6%	0.3%	Free
7217.10.80	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.10.90	3.8%	3.3%	2.8%	2.2%	1.6%	1.1%	0.6%	Free
7217.20.15	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7217.20.30	1%	0.9%	0.8%	0.6%	0.4%	0.3%	0.2%	Free
7217.20.45	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.20.60	3.9%	3.4%	2.8%	2.2%	1.7%	1.1%	0.6%	Free
7217.20.75	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7217.30.15	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7217.30.30	1%	0.9%	0.8%	0.6%	0.4%	0.3%	0.2%	Free
7217.30.45	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.30.60	3.9%	3.4%	2.8%	2.2%	1.7%	1.1%	0.6%	Free
7217.30.75	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7217.90.10	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free

Annex III (con.)  
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## Section A. (continued)

(2). (con.)

MTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
7217.90.50	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7218.91.00	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7218.99.00	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7222.11.00	7.4%	6.4%	5.3%	4.2%	3.2%	2.1%	1.1%	Free
7222.19.00	7.4%	6.4%	5.3%	4.2%	3.2%	2.1%	1.1%	Free
7225.11.00	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7225.19.00	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7225.91.00	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7225.92.00	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7225.99.00	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7226.11.10	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7226.11.90	4.9%	4.2%	3.5%	2.8%	2.1%	1.4%	0.7%	Free
7226.19.10	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7226.19.90	4.9%	4.2%	3.5%	2.8%	2.1%	1.4%	0.7%	Free
7226.93.00	4.4%	3.8%	3.2%	2.5%	1.9%	1.3%	0.6%	Free
7226.94.00	4.4%	3.8%	3.2%	2.5%	1.9%	1.3%	0.6%	Free
7304.21.30	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7304.21.60	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7304.29.10	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7304.29.20	0.4%	0.3%	0.2%	0.2%	0.2%	0.1%	Free	Free
7304.29.30	4.3%	3.7%	3.1%	2.5%	1.9%	1.2%	0.6%	Free
7304.29.40	2.3%	2%	1.6%	1.3%	1%	0.7%	0.3%	Free
7304.29.50	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7304.29.60	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7314.12.10	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7314.12.20	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7314.12.60	7%	6%	5%	4%	3%	2%	1%	Free
7314.12.90	5%	4.3%	3.6%	2.9%	2.2%	1.4%	0.7%	Free
7314.13.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7314.14.10	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free

## Proclamations

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## Section A. (continued)

## (2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
7314.14.20	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7314.14.40	7%	6%	5%	4%	3%	2%	1%	Free
7314.14.90	5%	4.3%	3.6%	2.9%	2.2%	1.4%	0.7%	Free
7314.19.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7314.20.00	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7314.31.10	0.1e/kg	0.1e/kg	0.1e/kg	0.1e/kg	0.1e/kg	Free	Free	Free
7314.31.50	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7314.39.00	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7314.41.00	0.1e/kg	0.1e/kg	0.1e/kg	0.1e/kg	0.1e/kg	Free	Free	Free
7314.42.00	0.1e/kg	0.1e/kg	0.1e/kg	0.1e/kg	0.1e/kg	Free	Free	Free
7314.49.30	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7314.49.60	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7314.50.00	2.7%	2.3%	1.9%	1.5%	1.1%	0.8%	0.4%	Free
7418.11.20	3.3%	3.1%	3%	3%	3%	3%	3%	3%
7418.11.40	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7418.19.10	3.4%	3.2%	3%	3%	3%	3%	3%	3%
7418.19.20	3.3%	3.1%	3%	3%	3%	3%	3%	3%
7418.19.50	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7508.10.00	4%	3.5%	3%	3%	3%	3%	3%	3%
7508.90.10	3.7%	3.3%	3%	3%	3%	3%	3%	3%
7508.90.50	4%	3.5%	3%	3%	3%	3%	3%	3%
7615.11.00	3.4%	3.2%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7615.19.10	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7615.19.30	4.1%	3.6%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7615.19.50	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7615.19.70	3.5%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7615.19.90	3.4%	3.2%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7616.91.00	3.8%	3.1%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7616.99.50	3.8%	3.1%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7907.00.10	3.2%	3.1%	3%	3%	3%	3%	3%	3%

Annex III (con.)  
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## Section A. (continued)

## (2). (con.)

MTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
7907.00.60	4.1%	3.5%	3%	3%	3%	3%	3%	3%
8211.95.10	0.3e each + 5.4%	0.3e each + 5.1%	0.3e each + 4.9%	0.3e each + 4.9%	0.3e each + 4.9%	0.3e each + 4.9%	0.3e each + 4.9%	0.3e each + 4.9%
8406.10.10	7.2%	7%	6.9%	6.7%	6.7%	6.7%	6.7%	6.7%
8406.10.90	1.6%	0.9%	Free	Free	Free	Free	Free	Free
8406.81.10	7.2%	7%	6.9%	6.7%	6.7%	6.7%	6.7%	6.7%
8406.81.90	1.6%	0.9%	Free	Free	Free	Free	Free	Free
8406.82.10	7.2%	7%	6.9%	6.7%	6.7%	6.7%	6.7%	6.7%
8406.82.90	1.6%	0.9%	Free	Free	Free	Free	Free	Free
8415.20.00	1.7%	1.6%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
8443.51.10	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8443.51.50	1.3%	0.7%	Free	Free	Free	Free	Free	Free
8443.59.10	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8443.59.50	1.3%	0.7%	Free	Free	Free	Free	Free	Free
8456.99.30	3.9%	3.7%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8456.99.50	2.5%	2.4%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
8469.11.00	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8469.12.00	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8471.30.00	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8471.41.00	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8471.49.10	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8471.49.15	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.26	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.29	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.31	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.32	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.33	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.34	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.35	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.36	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.37	1.5%	0.7%	Free	Free	Free	Free	Free	Free

## Section A. (continued)

## (2). (con.)

NTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
8671.49.42	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.49.48	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.49.50	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.49.70	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8671.49.95	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.50.00	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8671.60.10	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.60.35	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.60.45	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.60.51	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.60.52	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.60.53	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.60.54	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.60.55	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.60.56	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.60.57	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.60.80	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.60.90	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.70.50	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.70.50	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.70.90	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.80.90	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8671.90.00	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8675.21.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8675.29.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8676.21.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8676.29.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8676.81.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8676.89.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8679.50.00	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%



Annex III (con.)  
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## Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
8479.60.00	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8484.20.00	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8502.31.00	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8502.39.00	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8504.40.70	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8504.40.90	2.1%	1.8%	1.5%	1.5%	1.5%	1.5%	1.5%	1.5%
8504.90.70	2.8%	2.6%	2.5%	2.4%	2.4%	2.4%	2.4%	2.4%
8504.90.95	2.8%	2.6%	2.5%	2.4%	2.4%	2.4%	2.4%	2.4%
8506.10.00	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.30.10	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.30.50	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.40.10	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.40.50	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.50.00	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.60.00	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.80.00	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.90.00	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8517.11.00	2.4%	1.2%	Free	Free	Free	Free	Free	Free
8517.50.60	3.3%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%	2.3%
8519.92.00	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8519.95.80	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8520.32.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8520.33.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8523.30.00	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8524.10.00	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
8524.31.00	3.9%/m <sup>2</sup> of recording surface	1.9%/m <sup>2</sup> of recording surface	Free	Free	Free	Free	Free	Free
8524.32.00	3.9%/m <sup>2</sup> of recording surface	1.9%/m <sup>2</sup> of recording surface	Free	Free	Free	Free	Free	Free
8524.39.00	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%

## Section A. (continued)

(2). (con.)

ITS Provision	1997	1998	1999	2000	2001	2002	2003	2004
8524.40.00	6.86/m <sup>2</sup> of recording surface	5.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface
8524.51.30	6.86/m <sup>2</sup> of recording surface	5.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface
8524.52.10	0.466/l/in. = 6.86/m <sup>2</sup> of recording surface	0.44/l/in. = 5.86/m <sup>2</sup> of recording surface	0.336/l/in. = 4.86/m <sup>2</sup> of recording surface	0.336/l/in. = 4.86/m <sup>2</sup> of recording surface	0.336/l/in. = 4.86/m <sup>2</sup> of recording surface	0.336/l/in. = 4.86/m <sup>2</sup> of recording surface	0.336/l/in. = 4.86/m <sup>2</sup> of recording surface	0.336/l/in. = 4.86/m <sup>2</sup> of recording surface
8524.52.20	0.264/l/in. = 6.86/m <sup>2</sup> of recording surface	0.134/l/in. = 5.86/m <sup>2</sup> of recording surface	Free	Free	Free	Free	Free	Free
8524.53.10	0.264/l/in. = 6.86/m <sup>2</sup> of recording surface	0.134/l/in. = 5.86/m <sup>2</sup> of recording surface	Free	Free	Free	Free	Free	Free
8524.53.20	6.86/m <sup>2</sup> of recording surface	5.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface	4.86/m <sup>2</sup> of recording surface
8524.60.00	3.94/m <sup>2</sup> of recording surface	1.94/m <sup>2</sup> of recording surface	Free	Free	Free	Free	Free	Free
8524.91.00	3.94/m <sup>2</sup> of recording surface	1.94/m <sup>2</sup> of recording surface	Free	Free	Free	Free	Free	Free
8524.99.40	3.94/m <sup>2</sup> of recording surface	1.94/m <sup>2</sup> of recording surface	Free	Free	Free	Free	Free	Free
8525.20.90	2.4%	1.2%	Free	Free	Free	Free	Free	Free
8525.40.00	2.9%	2.5%	2.1%	2.1%	2.1%	2.1%	2.1%	2.1%
8527.12.00	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8527.13.11	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8527.13.20	2%	1%	Free	Free	Free	Free	Free	Free
8527.13.40	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8527.13.60	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8528.12.04	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.12.08	2%	1%	Free	Free	Free	Free	Free	Free
8528.12.12	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.12.20	2%	1%	Free	Free	Free	Free	Free	Free

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
8528.12.62	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.12.68	2%	1%	Free	Free	Free	Free	Free	Free
8528.12.76	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.12.84	2%	1%	Free	Free	Free	Free	Free	Free
8528.21.05	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.21.10	2%	1%	Free	Free	Free	Free	Free	Free
8528.21.16	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.21.24	2%	1%	Free	Free	Free	Free	Free	Free
8528.21.55	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.21.65	2%	1%	Free	Free	Free	Free	Free	Free
8528.21.75	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.21.85	2%	1%	Free	Free	Free	Free	Free	Free
8528.30.10	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.30.20	2%	1%	Free	Free	Free	Free	Free	Free
8528.30.62	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.30.66	2%	1%	Free	Free	Free	Free	Free	Free
8539.32.00	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8539.41.00	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8539.49.00	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8540.40.00	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8540.50.00	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8540.60.00	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8540.71.40	3.9%	3.8%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8540.72.00	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8540.79.00	3.9%	3.8%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8543.19.00	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8543.40.00	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.81.00	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.89.40	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.89.60	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
8543.89.80	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.89.85	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8543.89.90	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8548.10.05	0.9% on the value of the lead content	0.5% on the value of the lead content	Free	Free	Free	Free	Free	Free
8548.10.25	0.9% on the value of the lead content	0.5% on the value of the lead content	Free	Free	Free	Free	Free	Free
8548.90.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9010.50.10	0.9%	0.4%	Free	Free	Free	Free	Free	Free
9010.50.20	1.5%	0.8%	Free	Free	Free	Free	Free	Free
9010.50.30	5.3%	4.7%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9010.50.40	6.3%	5.6%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
9010.50.50	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9010.60.00	3.2%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
9018.12.00	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.13.00	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.14.00	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9022.12.00	0.8%	0.4%	Free	Free	Free	Free	Free	Free
9022.13.00	0.8%	0.4%	Free	Free	Free	Free	Free	Free
9022.14.00	0.8%	0.4%	Free	Free	Free	Free	Free	Free
9025.80.15	1.7%	1.4%	1%	1%	1%	1%	1%	1%
9030.83.00	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9030.89.00	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9031.49.40	6.1%	4.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9031.49.80	6.1%	4.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9014.20.15	0.44 each + 3.5%	0.44 each + 3.4%	0.44 each + 3.2%	0.44 each + 3.2%	0.44 each + 3.2%	0.44 each + 3.2%	0.44 each + 3.2%	0.44 each + 3.2%

## Section A. (continued)

(3). For each of the following subheadings, the Rates of Duty 1-General subcolumn is modified (i) by deleting the rate of duty in such subcolumn and inserting the rate of duty specified for such subheading in the first column in the table below in lieu thereof, and (ii) for each of the subsequent columns the rates of duty in the Rates of Duty 1-General subcolumn are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the dates announced for each column in this table by the United States Trade Representative in the Federal Register, at any time after the United States Trade Representative has determined that other major countries provide adequate entity coverage under the Agreement on Government Procurement, entered into on April 15, 1994, or under another binding international agreement.

HTS Subheadings	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5
8517.19.40	7.6%	6.8%	5.9%	5.1%	4.2%
8517.19.80	7.6%	6.8%	5.9%	5.1%	4.2%
8517.21.00	4.2%	3.7%	3.3%	2.8%	2.3%
8517.22.00	4.2%	3.7%	3.3%	2.8%	2.3%
8517.50.50	6.8%	5.1%	3.4%	1.7%	Free
8517.50.90	4.2%	3.7%	3.3%	2.8%	2.3%
8517.80.10	7.6%	6.8%	5.9%	5.1%	4.2%
8517.80.20	4.2%	3.7%	3.3%	2.8%	2.3%

Section B. Continuation of previously proclaimed staged reductions of the rates of duty in the Rates of Duty 1-Special subcolumn on certain goods of Canada under terms of general note 12 to the HTS.

Effective with respect to goods of Canada, under the terms of general note 12 to the HTS, entered, or withdrawn from warehouse for consumption, the Rates of Duty 1-Special subcolumn is modified on or after the dates as specified in this section.

(1). On or after January 1 of each of the years listed below, for each of the following subheadings, the Rates of Duty 1-Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "CA" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "CA" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

HTS Subheading	1996	1997	1998
2101.12.32	2%	1%	Free
2101.12.54	2%	1%	Free
2101.12.90	2%	1%	Free
7414.20.60	2%	1%	Free

## Annex III (con.)

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## Section B. (continued)

## (1). (con.)

HTS Subheading	1996	1997	1998
7414.20.90	0.8%	0.4%	Free
8211.91.80	1.2%	0.6%	Free
8211.92.90	1.2%	0.6%	Free
9007.20.20	0.4%	0.2%	Free
9007.20.40	1.4%	0.7%	Free

(2). On or after January 1 of each of the years listed below, for each of the following subheadings, the Rates of Duty 1-Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "CA" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "CA" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

HTS Subheading	1997	1998
0105.12.00	0.2¢ each	Free
0105.19.00	0.2¢ each	Free
0105.92.00	0.4¢/kg	Free
0105.93.00	0.4¢/kg	Free
0207.11.00	1.1¢/kg	Free
0207.12.00	1.1¢/kg	Free
0207.13.00	2.2¢/kg	Free
0207.14.00	2.2¢/kg	Free
0207.24.00	1.8¢/kg	Free
0207.25.20	1.1¢/kg	Free
0207.25.40	1.2%	Free
0207.26.00	2.2¢/kg	Free
0207.27.00	2.2¢/kg	Free
0207.32.00	1.1¢/kg	Free
0207.33.00	1.1¢/kg	Free
0207.34.00	2.2¢/kg	Free
0207.35.00	2.2¢/kg	Free
0207.36.00	2.2¢/kg	Free
0405.10.05	1.2¢/kg	Free
0405.10.10	1.2¢/kg	Free

## Annex III (con.)

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Section B. (continued)  
(2) (con.)

HTS Subheading	1997	1998
0405.20.10	1.5¢/kg	Free
0405.20.20	1.5¢/kg	Free
0405.20.40	1.5¢/kg	Free
0405.20.50	1%	Free
0405.20.60	1%	Free
0405.20.80	1%	Free
0405.90.05	1%	Free
0405.90.10	1%	Free
0602.90.30	0.2%	Free
0602.90.40	0.5%	Free
0602.90.60	0.3%	Free
0602.90.90	0.7%	Free
0714.10.10	1.7%	Free
0714.10.20	2.5%	Free
0714.20.10	0.7%	Free
0714.20.20	1%	Free
0714.90.45	0.7%	Free
0807.11.30	2%	Free
0807.11.40	2%	Free
0807.19.10	2%	Free
0807.19.20	3.5%	Free
0807.19.60	1.4%	Free
0807.19.80	3.5%	Free
1602.32.00	1%	Free
1702.11.00	1%	Free
1702.19.00	1%	Free
1704.90.35	0.7%	Free
1904.20.10	0.7%	Free
1904.20.90	1.7%	Free
2005.90.30	0.7%	Free
2835.29.20	0.1%	Free
3304.99.50	0.4%	Free
3306.20.00	0.5%	Free
3502.11.00	5.9¢/kg	Free
3502.19.00	1.2¢/kg	Free
3823.11.00	0.3¢/kg + 0.6%	Free
3823.12.00	0.3¢/kg + 0.5%	Free
3283.19.20	0.5%	Free

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## Annex III (con.)

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### Section B. (continued)

(2) (con.)

HTS Subheading	1997	1998
3823.19.40	0.5%	Free
3823.70.20	0.7%	Free
3823.70.40	0.5%	Free
3823.70.60	0.3%	Free
4010.11.00	0.4%	Free
4010.12.10	0.5%	Free
4010.12.50	0.8%	Free
4010.12.55	0.8%	Free
4010.12.90	0.2%	Free
4010.13.00	0.4%	Free
4010.19.10	0.5%	Free
4010.19.50	0.8%	Free
4010.19.55	0.8%	Free
4010.19.80	0.2%	Free
4010.19.90	0.4%	Free
4010.21.30	0.5%	Free
4010.21.60	0.4%	Free
4010.22.30	0.5%	Free
4010.22.60	0.4%	Free
4010.23.30	0.5%	Free
4010.23.41	0.8%	Free
4010.23.45	0.8%	Free
4010.23.50	0.2%	Free
4010.23.90	0.4%	Free
4010.24.30	0.5%	Free
4010.24.41	0.8%	Free
4010.24.45	0.8%	Free
4010.24.50	0.2%	Free
4010.24.90	0.4%	Free
4010.29.10	0.5%	Free
4010.29.20	0.4%	Free
4010.29.30	0.5%	Free
4010.29.41	0.8%	Free
4010.29.45	0.8%	Free
4010.29.50	0.2%	Free
4010.29.90	0.4%	Free
4412.19.10	0.5%	Free
4412.19.30	0.5%	Free



## Section B. (continued)

(2) (con.)

HTS Subheading	1997	1998
4412.19.40	2%	Free
4412.19.50	0.8%	Free
4412.92.10	0.5%	Free
4412.92.30	0.5%	Free
4412.92.40	2%	Free
4412.92.50	0.8%	Free
4412.92.90	0.4%	Free
4412.99.15	0.5%	Free
4412.99.35	0.5%	Free
4412.99.45	2%	Free
4412.99.55	0.8%	Free
4412.99.95	0.4%	Free
5205.26.00	1.2%	Free
5205.27.00	1.2%	Free
5205.28.00	1.2%	Free
5205.46.00	1.2%	Free
5205.47.00	1.2%	Free
5205.48.00	1.2%	Free
5407.61.11	2.4¢/kg + 2.2%	Free
5407.61.19	2.4¢/kg + 2.2%	Free
5407.61.21	2.4¢/kg + 2.2%	Free
5407.61.29	2.4¢/kg + 2.2%	Free
5407.61.91	1.7%	Free
5407.61.99	1.7%	Free
5407.69.10	1.7%	Free
5407.69.20	1.7%	Free
5407.69.30	2.4¢/kg + 2.2%	Free
5407.69.40	1.7%	Free
5407.69.90	1.7%	Free
5603.11.00	1.2%	Free
5603.12.00	1.2%	Free
5603.13.00	1.2%	Free
5603.14.30	1.6%	Free
5603.14.90	1.2%	Free
5603.91.00	1.2%	Free
5603.92.00	1.2%	Free
5603.93.00	1.2%	Free
5603.94.10	0.3%	Free

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## Annex III (con.)

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### Section B. (continued)

(2) (con.)

HTS Subheading	1997	1998
5603.94.30	1.6%	Free
5603.94.90	1.2%	Free
6115.12.10	0.5%	Free
6115.12.20	1.7%	Free
6115.19.20	0.5%	Free
6115.19.40	1.7%	Free
6115.19.80	1.7%	Free
6115.92.30	0.5%	Free
6115.92.60	2%	Free
6115.92.90	1.4%	Free
6115.93.30	0.5%	Free
6115.93.60	2%	Free
6115.93.90	1.5%	Free
6305.32.00	0.9%	Free
6305.33.00	0.9%	Free
6402.12.00	0.6%	Free
6403.12.60	1%	Free
6909.12.00	0.8%	Free
7010.20.20	0.3%	Free
7010.20.30	0.7%	Free
7010.91.20	0.3%	Free
7010.91.30	0.7%	Free
7010.92.20	0.3%	Free
7010.92.30	0.7%	Free
7010.93.20	0.3%	Free
7010.93.30	0.7%	Free
7010.94.20	0.3%	Free
7010.94.30	0.7%	Free
7019.12.00	0.6%	Free
7019.32.00	0.6%	Free
7019.39.10	0.6%	Free
7019.39.50	0.6%	Free
7019.40.15	0.6%	Free
7019.40.40	0.8%	Free
7019.40.90	1.1%	Free
7019.51.90	0.6%	Free
7019.52.40	0.8%	Free
7019.52.90	1.1%	Free

Section B. (continued)  
(2) (con.)

HTS Subheading	1997	1998
7019.59.40	0.8%	Free
7019.59.90	1.1%	Free
7019.90.10	0.6%	Free
7019.90.50	0.6%	Free
7208.10.15	0.5%	Free
7208.10.30	0.6%	Free
7208.10.60	0.4%	Free
7208.25.30	0.6%	Free
7208.25.60	0.5%	Free
7208.26.00	0.5%	Free
7208.27.00	0.5%	Free
7208.36.00	0.6%	Free
7208.37.00	0.6%	Free
7208.38.00	0.4%	Free
7208.39.00	0.4%	Free
7208.40.30	0.6%	Free
7208.40.60	0.4%	Free
7208.51.00	0.6%	Free
7208.52.00	0.6%	Free
7208.53.00	0.4%	Free
7208.54.00	0.4%	Free
7208.90.00	0.5%	Free
7209.15.00	0.5%	Free
7209.16.00	0.5%	Free
7209.17.00	0.5%	Free
7209.18.15	0.5%	Free
7209.18.25	0.3%	Free
7209.18.60	0.5%	Free
7209.25.00	0.5%	Free
7209.26.00	0.5%	Free
7209.27.00	0.5%	Free
7209.28.00	0.5%	Free
7209.90.00	0.5%	Free
7210.30.00	0.6%	Free
7210.61.00	0.6%	Free
7210.69.00	0.6%	Free
7211.13.00	0.6%	Free
7211.14.00	0.6%	Free

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Section B. (continued)  
(2) (con.)

HTS Subheading	1997	1998
7211.19.15	0.5%	Free
7211.19.20	0.5%	Free
7211.19.30	0.3%	Free
7211.19.45	0.4%	Free
7211.19.60	0.5%	Free
7211.19.75	0.4%	Free
7211.23.15	0.3%	Free
7211.23.20	0.5%	Free
7211.23.30	0.3%	Free
7211.23.45	0.2%	Free
7211.23.60	0.5%	Free
7211.29.20	0.3%	Free
7211.29.45	0.2%	Free
7211.29.60	0.5%	Free
7211.90.00	0.5%	Free
7212.20.00	0.6%	Free
7213.10.00	0.4%	Free
7213.20.00	0.1%	Free
7213.91.30	0.1%	Free
7213.91.45	0.1%	Free
7213.91.60	0.2%	Free
7213.99.00	0.1%	Free
7214.30.00	0.4%	Free
7214.91.00	0.4%	Free
7214.99.00	0.4%	Free
7215.50.00	0.7%	Free
7216.61.00	0.4%	Free
7216.69.00	0.4%	Free
7216.91.00	0.4%	Free
7216.99.00	0.4%	Free
7217.10.10	0.4%	Free
7217.10.20	0.3%	Free
7217.10.30	0.5%	Free
7217.10.40	0.5%	Free
7217.10.50	0.1%	Free
7217.10.60	0.5%	Free
7217.10.70	0.3%	Free
7217.10.80	0.5%	Free

## Section B. (continued)

(2) (con.)

HTS Subheading	1997	1998
7217.10.90	0.5%	Free
7217.20.15	0.5%	Free
7217.20.30	0.1%	Free
7217.20.45	0.5%	Free
7217.20.60	0.5%	Free
7217.20.75	0.5%	Free
7217.30.15	0.5%	Free
7217.30.30	0.1%	Free
7217.30.45	0.5%	Free
7217.30.60	0.5%	Free
7217.30.75	0.5%	Free
7217.90.10	Free	Free
7217.90.50	0.5%	Free
7218.91.00	0.5%	Free
7218.99.00	0.5%	Free
7222.11.00	1%	Free
7222.19.00	1%	Free
7225.91.00	0.5%	Free
7225.92.00	0.5%	Free
7225.99.00	0.5%	Free
7226.93.00	0.6%	Free
7226.94.00	0.6%	Free
7304.21.30	0.8%	Free
7304.21.60	0.7%	Free
7304.29.10	0.6%	Free
7304.29.20	Free	Free
7304.29.30	0.6%	Free
7304.29.40	0.3%	Free
7304.29.50	0.8%	Free
7304.29.60	0.7%	Free
7314.12.10	0.4%	Free
7314.12.20	0.4%	Free
7314.12.60	1%	Free
7314.12.90	0.7%	Free
7314.13.00	0.4%	Free
7314.14.10	0.4%	Free
7314.14.20	0.4%	Free
7314.14.60	1%	Free

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## Annex III (con.)

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Section B. (continued)  
(2) (con.)

HTS Subheading	1997	1998
7314.14.90	0.7%	Free
7314.19.00	0.4%	Free
7314.20.00	0.5%	Free
7314.31.50	0.5%	Free
7314.39.00	0.5%	Free
7314.49.30	0.5%	Free
7314.49.60	0.4%	Free
7418.11.20	0.3%	Free
7418.11.40	0.4%	Free
7418.19.10	0.4%	Free
7418.19.20	0.3%	Free
7418.19.50	0.4%	Free
7508.10.00	0.5%	Free
7508.90.10	0.4%	Free
7508.90.50	0.5%	Free
7615.11.00	0.3%	Free
7615.19.10	0.3%	Free
7615.19.30	0.5%	Free
7615.19.50	0.3%	Free
7615.19.70	0.4%	Free
7615.19.90	0.3%	Free
7616.91.00	0.5%	Free
7616.99.50	0.5%	Free
7907.00.10	0.3%	Free
7907.00.60	0.5%	Free
8211.95.10	0.6%	Free
8211.95.50	0.6%	Free
8211.95.90	0.2% each + 0.4%	Free
8506.10.00	0.5%	Free
8506.30.50	0.5%	Free
8506.40.50	0.5%	Free
8506.50.00	0.5%	Free
8506.60.00	0.5%	Free
8506.80.00	0.5%	Free
8506.90.00	0.5%	Free
8510.30.00	0.4%	Free
8519.92.00	0.3%	Free
8519.93.80	0.3%	Free

## Annex III (con.)

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Section B. (continued)  
(2) (con.)

HTS Subheading	1997	1998
8520.32.00	0.3%	Free
8520.33.00	0.3%	Free
8523.30.00	0.4%	Free
8524.10.00	0.3%	Free
8524.31.00	0.9¢/m <sup>2</sup> of recording surface	Free
8524.32.00	0.9¢/m <sup>2</sup> of recording surface	Free
8524.39.00	0.5%	Free
8524.40.00	0.9¢/m <sup>2</sup> of recording surface	Free
8524.51.30	0.9¢/m <sup>2</sup> of recording surface	Free
8524.52.10	Free	Free
8524.52.20	0.9¢/m <sup>2</sup> of recording surface	Free
8524.53.10	Free	Free
8524.53.20	0.9¢/m <sup>2</sup> of recording surface	Free
8524.60.00	0.9¢/m <sup>2</sup> of recording surface	Free
8524.91.00	0.9¢/m <sup>2</sup> of recording surface	Free
8524.99.40	0.9¢/m <sup>2</sup> of recording surface	Free
8528.12.04	0.3%	Free
8528.12.08	0.5%	Free
8528.12.12	0.3%	Free
8528.12.16	0.3%	Free
8528.12.20	0.5%	Free
8528.12.24	0.5%	Free
8528.12.28	0.3%	Free
8528.12.32	0.5%	Free
8528.12.36	0.3%	Free
8528.12.40	0.5%	Free
8528.12.44	0.3%	Free
8528.12.48	0.5%	Free
8528.12.52	0.3%	Free
8528.12.56	0.5%	Free

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## Annex III (con.)

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### Section B. (continued)

(2) (con.)

HTS Subheading	1997	1998
8528.12.62	0.3%	Free
8528.12.64	0.3%	Free
8528.12.68	0.5%	Free
8528.12.72	0.5%	Free
8528.12.76	0.3%	Free
8528.12.80	0.3%	Free
8528.12.84	0.5%	Free
8528.12.88	0.5%	Free
8528.13.00	0.5%	Free
8528.21.05	0.3%	Free
8528.21.10	0.5%	Free
8528.21.16	0.3%	Free
8528.21.19	0.3%	Free
8528.21.24	0.5%	Free
8528.21.29	0.5%	Free
8528.21.34	0.3%	Free
8528.21.39	0.5%	Free
8528.21.41	0.3%	Free
8528.21.42	0.5%	Free
8528.21.44	0.3%	Free
8528.21.49	0.5%	Free
8528.21.51	0.3%	Free
8528.21.52	0.5%	Free
8528.21.55	0.3%	Free
8528.21.60	0.3%	Free
8528.21.65	0.5%	Free
8528.21.70	0.5%	Free
8528.21.75	0.3%	Free
8528.21.80	0.3%	Free
8528.21.85	0.5%	Free
8528.21.90	0.5%	Free
8528.22.00	0.5%	Free
8528.30.10	0.3%	Free
8528.30.20	0.5%	Free
8528.30.30	0.3%	Free
8528.30.40	0.5%	Free
8528.30.50	0.3%	Free
8528.30.60	0.5%	Free



Section B. (continued)  
(2) (con.)

HTS Subheading	1997	1998
8528.30.62	0.3%	Free
8528.30.64	0.3%	Free
8528.30.66	0.5%	Free
8528.30.68	0.5%	Free
8528.30.72	0.3%	Free
8528.30.78	0.5%	Free
8528.30.90	0.5%	Free
8539.32.00	0.3%	Free
8548.90.00	0.3%	Free
9010.50.20	0.3%	Free
9022.12.00	0.2%	Free
9022.13.00	0.2%	Free
9022.14.00	0.2%	Free
9025.80.15	0.2%	Free
9030.83.00	0.4%	Free
9030.89.00	0.4%	Free
9614.20.15	0.4%	Free

Section C. Continuation of previously proclaimed staged reductions of the rates of duty in the Rates of Duty 1-Special subcolumn on certain goods of Mexico under terms of general note 12 to the HTS.

Effective with respect to goods of Mexico, under the terms of general note 12 to the HTS, entered, or withdrawn from warehouse for consumption, the Rates of Duty 1-Special subcolumn is modified on or after the dates as specified in this section.

(1). On or after January 1 of each of the years listed below, for each of the following subheadings, the Rates of Duty 1-Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "MX" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "MX" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
2933.39.41	5.4%	2.7%	Free	Free	Free	Free	Free	Free
2933.39.91	1.4g/kg + 6.4%	0.7g/kg + 3.2%	Free	Free	Free	Free	Free	Free
3824.40.10	1.4g/kg + 5.4%	0.7g/kg + 2.7%	Free	Free	Free	Free	Free	Free
3824.40.50	2%	1%	Free	Free	Free	Free	Free	Free
3824.90.28	2.5g/kg + 9.5%	2.2g/kg + 8.1%	1.8g/kg + 6.8%	1.4g/kg + 5.4%	1.1g/kg + 4%	0.7g/kg + 2.7%	0.3g/kg + 1.3%	Free
3824.90.90	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free

Annex III (con.)  
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## Section C. (continued)

(2). On or after January 1 of each of the years listed below, for each of the following subheadings, the Rates of Duty 1-Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "MX" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "MX" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

HTS Subheading	1997	1998	1999	2000	2001	2002	2003
0405.20.40	9.2¢/kg	7.7¢/kg	6.1¢/kg	4.6¢/kg	3¢/kg	1.5¢/kg	Free
0712.90.30	0.5¢/kg	Free	Free	Free	Free	Free	Free
0807.19.10	1.2%	10%	8%	6%	4%	2%	Free
0807.19.80	25.6%	23.3%	21%	18.6%	16.3%	14%	11.6% <sup>1/</sup>
1904.20.10	4.2%	3.3%	2.8%	2.1%	1.4%	0.7%	Free
1904.20.90	3.5%	Free	Free	Free	Free	Free	Free
2005.90.30	1.5%	Free	Free	Free	Free	Free	Free
2914.40.20	6.6%	5.5%	4.4%	3.3%	2.2%	1.1%	Free
2914.40.40	6.6%	5.5%	4.4%	3.3%	2.2%	1.1%	Free
2924.22.00	2.2¢/kg + 10.8%	1.8¢/kg + 9%	1.4¢/kg + 7.2%	1.1¢/kg + 5.4%	0.7¢/kg + 3.6%	0.3¢/kg + 1.8%	Free
2933.32.10	0.7¢/kg + 3.2%	Free	Free	Free	Free	Free	Free
2933.32.50	2.7%	Free	Free	Free	Free	Free	Free
4010.12.90	1.4%	1.2%	0.9%	0.7%	0.4%	0.2%	Free
4010.19.80	1.4%	1.2%	0.9%	0.7%	0.4%	0.2%	Free
4010.23.50	1.4%	1.2%	0.9%	0.7%	0.4%	0.2%	Free

1/ For subheading 0807.19.80, the rates of duty after 2003 will be as follows:  
 Effective with respect to articles entered on or after January 1, 2004-- 9.3%  
 Effective with respect to articles entered on or after January 1, 2005-- 7%  
 Effective with respect to articles entered on or after January 1, 2006-- 4.6%  
 Effective with respect to articles entered on or after January 1, 2007-- 2.3%  
 Effective with respect to articles entered on or after January 1, 2008-- Free

## Section C. (continued)

(2). (con.)

HTS subheading	1997	1998	1999	2000	2001	2002	2003
4010.24.50	1.4%	1.2%	0.9%	0.7%	0.4%	0.2%	Free
4010.29.50	1.4%	1.2%	0.9%	0.7%	0.4%	0.2%	Free
4412.19.50	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
5205.26.00	4.2%	2.1%	Free	Free	Free	Free	Free
5205.27.00	4.2%	2.1%	Free	Free	Free	Free	Free
5205.28.00	4.2%	2.1%	Free	Free	Free	Free	Free
5205.46.00	4.2%	2.1%	Free	Free	Free	Free	Free
5205.47.00	4.2%	2.1%	Free	Free	Free	Free	Free
5205.48.00	4.2%	2.1%	Free	Free	Free	Free	Free
5407.61.11	7.2%	3.6%	Free	Free	Free	Free	Free
5407.61.19	7.2%	3.6%	Free	Free	Free	Free	Free
5407.61.21	7.1%	3.5%	Free	Free	Free	Free	Free
5407.61.29	7.1%	3.5%	Free	Free	Free	Free	Free
5407.61.91	5.6%	2.8%	Free	Free	Free	Free	Free
5407.61.99	5.6%	2.8%	Free	Free	Free	Free	Free
5407.69.10	5.6%	2.8%	Free	Free	Free	Free	Free
5407.69.20	5.6%	2.8%	Free	Free	Free	Free	Free
5407.69.30	7.1%	3.5%	Free	Free	Free	Free	Free
5407.69.40	5.6%	2.8%	Free	Free	Free	Free	Free
5407.69.90	5.6%	2.8%	Free	Free	Free	Free	Free
5603.11.00	4.3%	2.1%	Free	Free	Free	Free	Free
5603.12.00	4.3%	2.1%	Free	Free	Free	Free	Free
5603.13.00	4.3%	2.1%	Free	Free	Free	Free	Free
5603.14.50	5.3%	2.6%	Free	Free	Free	Free	Free
5603.16.90	4.3%	2.1%	Free	Free	Free	Free	Free
5603.91.00	4.3%	2.1%	Free	Free	Free	Free	Free
5603.92.00	4.3%	2.1%	Free	Free	Free	Free	Free
5603.93.00	4.3%	2.1%	Free	Free	Free	Free	Free
5603.94.10	1.3%	0.6%	Free	Free	Free	Free	Free
5603.94.30	5.3%	2.6%	Free	Free	Free	Free	Free

Annex III (con.)  
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Section C. (continued)

(2). (con.)

NTS Subheading	1997	1998	1999	2000	2001	2002	2003
5603.94.90	4.3%	2.1%	Free	Free	Free	Free	Free
6115.12.20	5.6%	2.8%	Free	Free	Free	Free	Free
6115.19.40	5.6%	2.8%	Free	Free	Free	Free	Free
6115.19.80	5.6%	2.8%	Free	Free	Free	Free	Free
6115.92.60	6.4%	3.2%	Free	Free	Free	Free	Free
6115.92.90	4.9%	2.4%	Free	Free	Free	Free	Free
6115.93.60	6.4%	3.2%	Free	Free	Free	Free	Free
6115.93.90	5.2%	2.6%	Free	Free	Free	Free	Free
6305.32.00	3.4%	1.7%	Free	Free	Free	Free	Free
6305.33.00	3.4%	1.7%	Free	Free	Free	Free	Free
7019.19.15	2.7%	1.3%	Free	Free	Free	Free	Free
7019.19.28	3.4%	1.7%	Free	Free	Free	Free	Free
7019.19.90	1.2%	Free	Free	Free	Free	Free	Free
7019.40.15	2.2%	1.1%	Free	Free	Free	Free	Free
7019.40.40	3%	1.5%	Free	Free	Free	Free	Free
7019.40.90	3.9%	1.9%	Free	Free	Free	Free	Free
7019.51.90	2.2%	1.1%	Free	Free	Free	Free	Free
7019.52.40	3%	1.5%	Free	Free	Free	Free	Free
7019.52.90	3.9%	1.9%	Free	Free	Free	Free	Free
7019.59.40	3%	1.5%	Free	Free	Free	Free	Free
7019.59.90	3.9%	1.9%	Free	Free	Free	Free	Free
7208.10.15	3%	2.5%	2%	1.5%	1%	0.5%	Free
7208.10.30	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.10.60	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7208.25.30	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.25.60	3%	2.5%	2%	1.5%	1%	0.5%	Free
7208.26.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7208.27.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7208.36.00	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.37.00	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free

Annex III (con.)  
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## Section C. (continued)

(2). (con.)

HTS Subheading	1997	1998	1999	2000	2001	2002	2003
7208.38.00	2.9	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7208.39.00	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7208.40.30	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.40.60	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7208.51.00	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.52.00	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.53.00	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7208.54.00	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7208.90.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.19.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.16.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.17.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.18.15	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.18.25	1.9%	1.6%	1.2%	0.9%	0.6%	0.3%	Free
7209.18.60	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.25.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.26.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.27.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.28.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.90.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7210.30.00	3.9%	3.2%	2.6%	1.9%	1.3%	0.6%	Free
7210.61.00	3.9%	3.2%	2.6%	1.9%	1.3%	0.6%	Free
7210.69.00	3.9%	3.2%	2.6%	1.9%	1.3%	0.6%	Free
7211.13.00	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7211.14.00	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7211.19.15	3.6%	2.6%	2.2%	1.7%	1.1%	0.5%	Free
7211.19.20	3.6%	2.6%	2.2%	1.7%	1.1%	0.5%	Free
7211.19.30	2%	1.7%	1.3%	1%	0.6%	0.3%	Free
7211.19.45	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7211.19.60	3%	2.5%	2%	1.5%	1%	0.5%	Free

Annex III (con.)  
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Section C. (continued)

(2). (con.)

RTS Subheading	1997	1998	1999	2000	2001	2002	2003
7211.19.75	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7211.23.15	2%	1.7%	1.3%	1%	0.6%	0.3%	Free
7211.23.20	3.4%	2.8%	2.2%	1.7%	1.1%	0.5%	Free
7211.23.30	2%	1.7%	1.3%	1%	0.6%	0.3%	Free
7211.23.45	1.4%	1.2%	0.9%	0.7%	0.4%	0.2%	Free
7211.23.60	3%	2.5%	2%	1.5%	1%	0.5%	Free
7211.29.20	2%	1.7%	1.3%	1%	0.6%	0.3%	Free
7211.29.45	1.4%	1.2%	0.9%	0.7%	0.4%	0.2%	Free
7211.29.60	3%	2.5%	2%	1.5%	1%	0.5%	Free
7211.90.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7212.20.00	3.9%	3.2%	2.6%	1.9%	1.3%	0.6%	Free
7213.10.00	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7213.20.00	1.1%	0.9%	0.7%	0.5%	0.3%	0.1%	Free
7213.91.30	1.1%	0.9%	0.7%	0.5%	0.3%	0.1%	Free
7213.91.45	1.1%	0.9%	0.7%	0.5%	0.3%	0.1%	Free
7213.91.60	1.3%	1.1%	0.9%	0.6%	0.4%	0.2%	Free
7213.99.00	1.1%	0.9%	0.7%	0.5%	0.3%	0.1%	Free
7214.30.00	2.8%	2.3%	1.8%	1.4%	0.9%	0.4%	Free
7214.91.00	2.8%	2.3%	1.8%	1.4%	0.9%	0.4%	Free
7214.99.00	2.8%	2.3%	1.8%	1.4%	0.9%	0.4%	Free
7215.50.00	4.5%	3.7%	3%	2.2%	1.5%	0.7%	Free
7216.91.00	2.6%	2.2%	1.7%	1.3%	0.8%	0.4%	Free
7216.99.00	2.6%	2.2%	1.7%	1.3%	0.8%	0.4%	Free
7217.10.10	2.5%	2.1%	1.6%	1.2%	0.8%	0.4%	Free
7217.10.20	1.9%	1.6%	1.2%	0.9%	0.6%	0.3%	Free
7217.10.30	3%	2.5%	2%	1.5%	1%	0.5%	Free
7217.10.40	3.1%	2.6%	2.1%	1.5%	1%	0.5%	Free
7217.10.50	0.9%	0.7%	0.6%	0.4%	0.3%	0.1%	Free
7217.10.60	3.3%	2.7%	2.2%	1.6%	1.1%	0.5%	Free
7217.10.70	1.9%	1.6%	1.2%	0.9%	0.6%	0.3%	Free

Section C. (continued)

(2). (con.)

HTS Subheading	1997	1998	1999	2000	2001	2002	2003
7217.10.80	3.1%	2.6%	2.1%	1.5%	1%	0.5%	Free
7217.10.90	3.3%	2.7%	2.2%	1.6%	1.1%	0.5%	Free
7217.20.15	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7217.20.30	0.9%	0.7%	0.6%	0.4%	0.3%	0.1%	Free
7217.20.45	3.1%	2.6%	2.1%	1.5%	1%	0.5%	Free
7217.20.60	3.3%	2.8%	2.2%	1.6%	1.1%	0.5%	Free
7217.20.75	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7217.30.15	3.1%	2.6%	2.1%	1.5%	1%	0.5%	Free
7217.30.30	0.9%	0.7%	0.6%	0.4%	0.3%	0.1%	Free
7217.30.45	3.1%	2.6%	2.1%	1.5%	1%	0.5%	Free
7217.30.60	3.3%	2.8%	2.2%	1.6%	1.1%	0.5%	Free
7217.30.75	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7217.90.10	0.5%	0.4%	0.3%	0.2%	0.1%	Free	Free
7217.90.50	3.1%	2.6%	2.1%	1.5%	1%	0.5%	Free
7218.91.00	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7218.99.00	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7222.11.00	6.3%	5.3%	4.2%	3.1%	2.1%	1%	Free
7222.19.00	6.3%	5.3%	4.2%	3.1%	2.1%	1%	Free
7226.93.00	3.7%	3.1%	2.5%	1.8%	1.2%	0.6%	Free
7226.94.00	3.7%	3.1%	2.5%	1.8%	1.2%	0.6%	Free
7304.21.30	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7304.21.60	4.5%	3.7%	3%	2.2%	1.5%	0.7%	Free
7304.29.10	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7304.29.20	0.3%	0.2%	0.2%	0.1%	0.1%	Free	Free
7304.29.30	3.7%	3.1%	2.4%	1.8%	1.2%	0.6%	Free
7304.29.40	1.9%	1.6%	1.3%	0.9%	0.6%	0.3%	Free
7304.29.50	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7304.29.60	4.5%	3.7%	3%	2.2%	1.5%	0.7%	Free
7314.13.00	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7314.19.00	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free



Annex III (con.)  
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Section C. (continued)

(2). (con.)

HTS Subheading	1997	1998	1999	2000	2001	2002	2003
7314.31.10	0.1c/kg	0.1c/kg	Free	Free	Free	Free	Free
7314.41.00	0.1c/kg	0.1c/kg	Free	Free	Free	Free	Free
7314.42.00	0.1c/kg	0.1c/kg	Free	Free	Free	Free	Free
9906.06.41	90.3c/kg	75.3c/kg	60.2c/kg	45.2c/kg	30.1c/kg	15.1c/kg	Free
9906.06.42	57.4%	47.9%	38.3%	28.7%	19.1%	9.6%	Free
9906.06.44	42.2c/kg	35.2c/kg	28.1c/kg	21.1c/kg	14.1c/kg	7c/kg	Free
9906.06.45	56.3%	47%	37.6%	28.2%	18.6%	9.4%	Free
9906.29.40	2.7%	Free	Free	Free	Free	Free	Free

- (3). On January 1, 2003, the Rates of Duty 1-Special subcolumn for subheadings 0405.10.20, 0405.20.30, 0405.20.70, 0405.90.20, 2101.12.38, 2101.12.48 and 2101.12.58 is modified by deleting the "(MX)" symbol and the rate preceding such symbol and inserting a "Free" rate of duty followed by the symbol "MX" in parenthesis.
- (4). On January 1, 2003, the Rates of Duty 1-Special subcolumn for subheadings 0807.11.40, 0807.19.70 and 3824.90.45 is modified by deleting the "(MX)" symbol and the rate preceding such symbol and inserting a "MX" symbol, alphabetically, in the parenthesis following the "Free" rate of duty in such subcolumn.
- (5). On January 1, 2008, the Rates of Duty 1-Special subcolumn for subheading 0807.19.20 is modified by deleting the "(MX)" symbol and the rate preceding such symbol and inserting a "MX" symbol, alphabetically, in the parenthesis following the "Free" rate of duty in such subcolumn.

ANNEX IV

TECHNICAL MODIFICATIONS TO PROCLAMATION 6763  
OF DECEMBER 23, 1994

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the effective dates in such proclamation:

The Annex to Presidential Proclamation 6763 of December 23, 1994, is modified as follows:

In section A of such Annex:

1. Item 26 is modified by deleting ", the designation "b" for the remaining text, subdivisions (b)(1) and (2) shall then be redesignated as "(a)" and "(b)",."
2. Item 32(d) is modified by inserting after "(a)(1)" the expression "of additional U.S. note 5".
3. Item 36 is modified by deleting "subdivision (a) of additional U.S. note 3" and by inserting in lieu thereof "subdivision (a) of additional U.S. note 1".
4. Item 38 is modified by deleting "subdivision (a) of additional U.S. note 4" and by inserting in lieu thereof "subdivision (a) of additional U.S. note 3".
4. Item 119(a) is modified by deleting "2-(N-Benzyl-N-tert-butylamino)-4'-hydroxy-3'-hydromethylacetophenone hydrochloride;" from the article description of subheading 2922.50.07.
5. Item 321 is modified by adding a conforming change as follows:

"Conforming change: The article description for subheading 8529.90.53 is modified by deleting "8528.10.64 and 8528.10.68" and inserting "8528.10.61, 8528.10.63, 8528.10.67 and 8528.10.69" in lieu thereof."

In section B(1) of such Annex by deleting "Additional U.S. note 5 to chapter 20: Countries identified in additional U.S. note 6 to chapter 20" and inserting in lieu thereof "Additional U.S. note 5 to chapter 20: Countries or territories identified in additional U.S. note 6 to this chapter combined (aggregate)".

In section E(2) of such Annex by inserting "2925.20.90" in numerical sequence.

Proclamation 6858 of December 13, 1995

## Wright Brothers Day, 1995

*By the President of the United States of America*

### *A Proclamation*

Ninety-two years ago, Orville Wright manned the first sustained and controlled, machine-powered flight in an airplane he designed and built with his brother Wilbur. This extraordinary journey, though only 12 seconds long, was the first great achievement of a partnership that revolutionized aviation and made remarkable contributions to aerodynamics, mechanical engineering, and practical flight techniques. The Wright brothers' pioneering efforts remain enduring examples of American ingenuity and perseverance.

Today, the United States aviation industry helps to drive our economy and provides business and recreational opportunities to our citizens that were unthinkable just a century ago. Our reliance on air transit grows each year, challenging the aviation community and the Federal Aviation Administration (FAA) to meet new safety and operational demands.

Our air transportation system, already the safest and most efficient in the world, continues to improve. In fact, efforts are underway to craft reforms that enhance the efficiency of the FAA so that America's leadership in air transportation, begun with the Wright brothers' historic flight on December 17, 1903, can continue well into the next century.

The Congress, by a joint resolution approved December 17, 1963 (77 Stat. 402; 36 U.S.C. 169), has designated December 17 of each year as "Wright Brothers Day" and has authorized and requested the President to issue annually a proclamation inviting the people of the United States to observe that day with appropriate ceremonies and activities.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim December 17, 1995, as Wright Brothers Day.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of December, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6859 of December 13, 1995

## To Modify the Tariff-Rate Quota on Italian-Type Cheeses From Poland

*By the President of the United States of America*

### *A Proclamation*

1. On May 17, 1995, the United States and Poland signed a Record of Understanding Between Poland and the United States of America on Agricul-

tural Items, which provides for an increase in the allocation to Poland of the in-quota quantity of the tariff-rate quota on Italian-type cheeses.

2. Section 404(d)(3) of the Uruguay Round Agreements Act ("the URAA") (19 U.S.C. 3601(d)(3)) authorizes the President to allocate the in-quota quantity of a tariff-rate quota for any agricultural product among supplying countries or customs areas and to modify any allocation as the President determines appropriate.

3. Accordingly, pursuant to section 404(d)(3) of the URAA, I have determined that it is appropriate to proclaim an increase in the allocation to Poland of the in-quota quantity of the tariff-rate quota for Italian-type cheeses.

4. Section 604 of the Trade Act of 1974, as amended ("the 1974 Act") (19 U.S.C. 2483), authorizes the President to embody in the Harmonized Tariff Schedule of the United States ("the HTS") the substance of the relevant provisions of that Act, and of other Acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction. The modification of the allocation to Poland of the in-quota quantity of the tariff-rate quota for Italian-type cheeses is such an action.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to section 404(d)(3) of the URAA (19 U.S.C. 3601(d)(3)) and section 604 of the 1974 Act (19 U.S.C. 2483), do proclaim that:

(1) Additional U.S. note 21 to chapter 4 of the HTS is modified by deleting the quantity "1,100,000" set out opposite Poland and inserting "1,325,000" in lieu thereof.

(2) This proclamation is effective with respect to goods entered or withdrawn from warehouse for consumption on or after the date of signature of this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of December, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON



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## EXECUTIVE ORDERS

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**Executive Order 12945 of January 20, 1995**

### **Amendment to Executive Order No. 12640**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to provide for the carrying out of the provisions of the Rehabilitation Act of 1973, Public Law 93-112, section 501(a)-(f), as amended (29 U.S.C. 791(a)-(f)), and in order to add two Vice Chair positions to the four already provided to the "President's Committee on Employment of People with Disabilities," it is hereby ordered that:

(1) The first sentence of section 1(b) of Executive Order No. 12640 be amended by deleting the words "four Vice Chairmen" and inserting the words "six Vice Chairs" in lieu thereof; and

(2) The words "Vice Chair" or "Vice Chairs" be inserted in lieu of the words "Vice Chairman" and "Vice Chairmen," respectively, wherever such words appear in Executive Order No. 12640.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*January 20, 1995.*

**Executive Order 12946 of January 20, 1995**

### **President's Advisory Board on Arms Proliferation Policy**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 1601 of the National Defense Authorization Act, Fiscal Year 1994 (Public Law 103-160), and the Federal Advisory Committee Act, as amended (5 U.S.C. App. 2) ("Act"), except that subsections (e) and (f) of section 10 of such Act do not apply, and section 301 of title 3, United States Code, it is hereby ordered as follows:

**Section 1. Establishment.** There is established within the Department of Defense the "President's Advisory Board on Arms Proliferation Policy" ("Board"). The Board shall consist of five members who shall be appointed by the President from among persons in private life who are noted for their

stature and expertise regarding the proliferation of strategic and advanced conventional weapons and are from diverse backgrounds. The President shall designate one of the members as Chairperson of the Board.

**Sec. 2. Functions.** The Board shall advise the President on implementation of United States conventional arms transfer policy, other issues related to arms proliferation policy, and on other matters deemed appropriate by the President. The Board shall report to the President through the Assistant to the President for National Security Affairs.

**Sec. 3. Administration.** (a) The heads of executive agencies shall, to the extent permitted by law, provide to the Board such information as it may require for the purpose of carrying out its functions.

(b) Members of the Board shall serve without compensation, but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law, including 5 U.S.C. 5701–5707 and section 7(d) of the Act, for persons serving intermittently in government service.

(c) The Department of Defense or the head of any other Federal department or agency may detail to the Board, upon request of the Chairperson of the Board, any of the personnel of the department or agency to assist the Board in carrying out its duties.

(d) The Secretary of Defense shall designate a federally funded research and development center with expertise in the matters covered by the Board to provide the Board with such support services as the Board may need to carry out its duties.

(e) The Department of Defense shall provide the Board with administrative services, facilities, staff, and other support services necessary for the performance of its functions.

**Sec. 4. General.** (a) The Board shall terminate 30 days after the date on which the President submits the final report of the Board to the Congress.

(b) For reasons of national security or for such other reasons as specified in section 552(b) of title 5, United States Code, the Board shall not provide public notice or access to meetings at which national security information will be discussed. Authority to make such determinations shall reside with the Secretary of Defense or his designee who must be an official required to be appointed by and with the advice and consent of the Senate.

(c) Information made available to the Board shall be given all necessary security protection in accordance with applicable laws and regulations.

(d) Each member of the Board and each member of the Board's staff shall execute an agreement not to reveal any classified information obtained by virtue of his or her service with the Board except as authorized by applicable law and regulations.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
January 20, 1995.

Executive Order 12947 of January 23, 1995

## Prohibiting Transactions With Terrorists Who Threaten To Disrupt the Middle East Peace Process

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code,

I, WILLIAM J. CLINTON, President of the United States of America, find that grave acts of violence committed by foreign terrorists that disrupt the Middle East peace process constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, and hereby declare a national emergency to deal with that threat.

I hereby order:

**Section 1.** Except to the extent provided in section 203(b)(3) and (4) of IEEPA (50 U.S.C. 1702(b)(3) and (4)) and in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date: (a) all property and interests in property of:

(i) the persons listed in the Annex to this order;

(ii) foreign persons designated by the Secretary of State, in coordination with the Secretary of the Treasury and the Attorney General, because they are found:

(A) to have committed, or to pose a significant risk of committing, acts of violence that have the purpose or effect of disrupting the Middle East peace process, or

(B) to assist in, sponsor, or provide financial, material, or technological support for, or services in support of, such acts of violence; and

(iii) persons determined by the Secretary of the Treasury, in coordination with the Secretary of State and the Attorney General, to be owned or controlled by, or to act for or on behalf of, any of the foregoing persons, that are in the United States, that hereafter come within the United States, or that hereafter come within the possession or control of United States persons, are blocked;

(b) any transaction or dealing by United States persons or within the United States in property or interests in property of the persons designated in or pursuant to this order is prohibited, including the making or receiving of any contribution of funds, goods, or services to or for the benefit of such persons;

(c) any transaction by any United States person or within the United States that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order, is prohibited.

**Sec. 2.** For the purposes of this order: (a) the term "person" means an individual or entity;



(b) the term "entity" means a partnership, association, corporation, or other organization, group, or subgroup;

(c) the term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States (including foreign branches), or any person in the United States; and

(d) the term "foreign person" means any citizen or national of a foreign state (including any such individual who is also a citizen or national of the United States) or any entity not organized solely under the laws of the United States or existing solely in the United States, but does not include a foreign state.

**Sec. 3.** I hereby determine that the making of donations of the type specified in section 203(b)(2)(A) of IEEPA (50 U.S.C. 1702(b)(2)(A)) by United States persons to persons designated in or pursuant to this order would seriously impair my ability to deal with the national emergency declared in this order, and hereby prohibit such donations as provided by section 1 of this order.

**Sec. 4.** (a) The Secretary of the Treasury, in consultation with the Secretary of State and, as appropriate, the Attorney General, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to me by IEEPA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

(b) Any investigation emanating from a possible violation of this order, or of any license, order, or regulation issued pursuant to this order, shall first be coordinated with the Federal Bureau of Investigation (FBI), and any matter involving evidence of a criminal violation shall be referred to the FBI for further investigation. The FBI shall timely notify the Department of the Treasury of any action it takes on such referrals.

**Sec. 5.** Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

**Sec. 6.** (a) This order is effective at 12:01 a.m., eastern standard time on January 24, 1995.

(b) This order shall be transmitted to the Congress and published in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*January 23, 1995.*

**ANNEX****TERRORIST ORGANIZATIONS WHICH THREATEN TO DISRUPT THE MIDDLE EAST PEACE PROCESS**

**Abu Nidal Organization (ANO)**

**Democratic Front for the Liberation of Palestine (DFLP)**

**Hizballah**

**Islamic Gama'at (IG)**

**Islamic Resistance Movement (HAMAS)**

**Jihad**

**Kach**

**Kahane Chai**

**Palestinian Islamic Jihad-Shiqaqi faction (PIJ)**

**Palestine Liberation Front-Abu Abbas faction (PLF-Abu Abbas)**

**Popular Front for the Liberation of Palestine (PFLP)**

**Popular Front for the Liberation of Palestine-General Command (PFLP-GC)**

**Executive Order 12948 of January 30, 1995****Amendment to Executive Order No. 12898**

By the authority vested in me as President by the Constitution and the laws of the United States of America and in order to amend Executive Order No. 12898, it is hereby ordered that section 1-103(e) of that order is amended by deleting the phrase "Within 12 months of the date of this order," and inserting the phrase "By March 24, 1995," in lieu thereof and by deleting, in the second sentence of section 1-103(e), the phrase "During the 12 month period from the date of this order," and inserting the phrase "From the date of this order through March 24, 1995," in lieu thereof.

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,**

*January 30, 1995.*

**Executive Order 12949 of February 9, 1995****Foreign Intelligence Physical Searches**

By the authority vested in me as President by the Constitution and the laws of the United States, including sections 302 and 303 of the Foreign Intelligence Surveillance Act of 1978 ("Act") (50 U.S.C. 1801, *et seq.*), as amended by Public Law 103-359, and in order to provide for the authorization of physical searches for foreign intelligence purposes as set forth in the Act, it is hereby ordered as follows:

**Section 1.** Pursuant to section 302(a)(1) of the Act, the Attorney General is authorized to approve physical searches, without a court order, to acquire foreign intelligence information for periods of up to one year, if the Attorney General makes the certifications required by that section.

**Sec. 2.** Pursuant to section 302(b) of the Act, the Attorney General is authorized to approve applications to the Foreign Intelligence Surveillance Court under section 303 of the Act to obtain orders for physical searches for the purpose of collecting foreign intelligence information.

**Sec. 3.** Pursuant to section 303(a)(7) of the Act, the following officials, each of whom is employed in the area of national security or defense, is designated to make the certifications required by section 303(a)(7) of the Act in support of applications to conduct physical searches:

- (a) Secretary of State;
- (b) Secretary of Defense;
- (c) Director of Central Intelligence;
- (d) Director of the Federal Bureau of Investigation;
- (e) Deputy Secretary of State;
- (f) Deputy Secretary of Defense; and
- (g) Deputy Director of Central Intelligence.

None of the above officials, nor anyone officially acting in that capacity, may exercise the authority to make the above certifications, unless that official has been appointed by the President, by and with the advice and consent of the Senate.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
February 9, 1995.

**Executive Order 12950 of February 22, 1995**

**Establishing an Emergency Board To Investigate a Dispute Between Metro North Commuter Railroad and Its Employees Represented by Certain Labor Organizations**

Disputes exist between Metro North Commuter Railroad and certain of its employees represented by certain labor organizations. The labor organizations involved in these disputes are designated on the attached list, which is made a part of this order.

The disputes have not heretofore been adjusted under the provisions of the Railway Labor Act, as amended (45 U.S.C. 151 *et seq.*) (the "Act").

A party empowered by the Act has requested that the President establish an emergency board pursuant to section 9A of the Act (45 U.S.C. 159a).

Section 9A(c) of the Act provides that the President, upon such request, shall appoint an emergency board to investigate and report on the disputes.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States of America, including section 9A of the Act, it is hereby ordered as follows:

**Section 1. *Establishment of the Board.*** There is established effective February 22, 1995, a board of three members to be appointed by the President

to investigate these disputes. No member shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier. The board shall perform its functions subject to the availability of funds.

**Sec. 2. Report.** The board shall report to the President with respect to the disputes within 30 days of its creation.

**Sec. 3. Maintaining Conditions.** As provided by section 9A(c) of the Act, from the date of the creation of the board and for 120 days thereafter, no change, except by agreement of the parties, shall be made by the carrier or the employees in the conditions out of which the disputes arose.

**Sec. 4. Records Maintenance.** The records and files of the board are records of the Office of the President and upon the board's termination shall be maintained in the physical custody of the National Mediation Board.

**Sec. 5. Expiration.** The board shall terminate upon submission of the report provided for in section 2 of this order.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
February 22, 1995.

**LABOR ORGANIZATIONS**

Brotherhood of Locomotive Engineers

Brotherhood of Locomotive Engineers—American Train Dispatchers Division

Brotherhood of Railroad Signalmen

International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers

International Brotherhood of Electrical Workers

International Brotherhood of Teamsters

Transportation Communications International Union-ARASA

Sheet Metal Workers International Union

Transport Workers Union of America

United Transportation Union

**Executive Order 12951 of February 22, 1995**

**Release of Imagery Acquired by Space-Based National Intelligence Reconnaissance Systems**

By the authority vested in me as President by the Constitution and the laws of the United States of America and in order to release certain scientifically or environmentally useful imagery acquired by space-based national intelligence reconnaissance systems, consistent with the national security, it is hereby ordered as follows:

**Section 1. Public Release of Historical Intelligence Imagery.** Imagery acquired by the space-based national intelligence reconnaissance systems known as the Corona, Argon, and Lanyard missions shall, within 18 months of the date of this order, be declassified and transferred to the National Archives and Records Administration with a copy sent to the United States Geological Survey of the Department of the Interior consistent with procedures approved by the Director of Central Intelligence and the Archi-

vist of the United States. Upon transfer, such imagery shall be deemed declassified and shall be made available to the public.

**Sec. 2. Review for Future Public Release of Intelligence Imagery.** (a) All information that meets the criteria in section 2(b) of this order shall be kept secret in the interests of national defense and foreign policy until deemed otherwise by the Director of Central Intelligence. In consultation with the Secretaries of State and Defense, the Director of Central Intelligence shall establish a comprehensive program for the periodic review of imagery from systems other than the Corona, Argon, and Lanyard missions, with the objective of making available to the public as much imagery as possible consistent with the interests of national defense and foreign policy. For imagery from obsolete broad-area film-return systems other than Corona, Argon, and Lanyard missions, this review shall be completed within 5 years of the date of this order. Review of imagery from any other system that the Director of Central Intelligence deems to be obsolete shall be accomplished according to a timetable established by the Director of Central Intelligence. The Director of Central Intelligence shall report annually to the President on the implementation of this order.

(b) The criteria referred to in section 2(a) of this order consist of the following: imagery acquired by a space-based national intelligence reconnaissance system other than the Corona, Argon, and Lanyard missions.

**Sec. 3. General Provisions.** (a) This order prescribes a comprehensive and exclusive system for the public release of imagery acquired by space-based national intelligence reconnaissance systems. This order is the exclusive Executive order governing the public release of imagery for purposes of section 552(b)(1) of the Freedom of Information Act.

(b) Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

**Sec. 4. Definition.** As used herein, "imagery" means the product acquired by space-based national intelligence reconnaissance systems that provides a likeness or representation of any natural or man-made feature or related objective or activities and satellite positional data acquired at the same time the likeness or representation was acquired.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*February 22, 1995.*

**Executive Order 12952 of February 24, 1995**

### **Amendment to Executive Order No. 12950**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to amend Executive Order No. 12950, it is hereby ordered that the list of Labor Organizations attached to and made a part of such order is amended to include the following:

**International Brotherhood of Firemen & Oilers**

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,**  
*February 24, 1995.*

**Executive Order 12953 of February 27, 1995**

**Actions Required of all Executive Agencies To Facilitate  
Payment of Child Support**

Children need and deserve the emotional and financial support of both their parents.

The Federal Government requires States and, through them, public and private employers to take actions necessary to ensure that monies in payment of child support obligations are withheld and transferred to the child's caretaker in an efficient and expeditious manner.

The Federal Government, through its civilian employees and Uniformed Services members, is the Nation's largest single employer and as such should set an example of leadership and encouragement in ensuring that all children are properly supported.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, it is hereby ordered as follows:

**PART I—PURPOSE**

**Section 101.** This executive order: (a) Establishes the executive branch of the Federal Government, through its civilian employees and Uniformed Services members, as a model employer in promoting and facilitating the establishment and enforcement of child support.

(b) Requires all Federal agencies, including the Uniformed Services, to cooperate fully in efforts to establish paternity and child support orders and to enforce the collection of child and medical support in all situations where such actions may be required.

(c) Requires each Federal agency, including the Uniformed Services, to provide information to its employees and members about actions that they should take and services that are available to ensure that their children are provided the support to which they are legally entitled.

**PART 2—DEFINITIONS**

For purposes of this order:

**Sec. 201.** "Federal agency" means any authority as defined at 5 U.S.C. 105, including the Uniformed Services, as defined in section 202 of this order.

**Sec. 202.** "Uniformed Services" means the Army, Navy, Marine Corps, Air Force, Coast Guard, and the Commissioned Corps of the National Oceanic and Atmospheric Administration, and the Public Health Service.

**Sec. 203.** “Child support enforcement” means any administrative or judicial action by a court or administrative entity of a State necessary to establish paternity or establish a child support order, including a medical support order, and any actions necessary to enforce a child support or medical support order. Child support actions may be brought under the civil or criminal laws of a State and are not limited to actions brought on behalf of the State or individual by State agencies providing services under title IV-D of the Social Security Act, 42 U.S.C. 651 *et seq.*

**Sec. 204.** “State” means any of the fifty States, the District of Columbia, the territories, the possessions, and the Commonwealths of Puerto Rico and of the Mariana Islands.

### **PART 3—IMMEDIATE ACTIONS TO ENSURE CHILDREN ARE SUPPORTED BY THEIR PARENTS**

**Sec. 301. Wage Withholding.** (a) Within 60 days from the date of this order, every Federal agency shall review its procedures for wage withholding under 42 U.S.C. 659 and implementing regulations to ensure that it is in full compliance with the requirements of that section, and shall endeavor, to the extent feasible, to process wage withholding actions consistent with the requirements of 42 U.S.C. 666(b).

(b) Beginning no later than July 1, 1995, the Director of the Office of Personnel Management (OPM) shall publish annually in the *Federal Register* the list of agents (and their addresses) designated to receive service of withholding notices for Federal employees.

**Sec. 302. Service of Legal Process.** Every Federal agency shall assist in the service of legal process in civil actions pursuant to orders of courts of States to establish paternity and establish or enforce a support obligation by making Federal employees and members of the Uniformed Services stationed outside the United States available for the service of process. Each agency shall designate an official who shall be responsible for facilitating a Federal employee's or member's availability for service of process, regardless of the location of the employee's workplace or member's duty station. The OPM shall publish a list of these officials annually in the *Federal Register*, beginning no later than July 1, 1995.

**Sec. 303. Federal Parent Locator.** Every Federal agency shall cooperate with the Federal Parent Locator Service, established under 42 U.S.C. 653, by providing complete, timely and accurate information that will assist in locating noncustodial parents and their employers.

**Sec. 304. Crossmatch for Delinquent Obligor.** (a) The master file of delinquent obligors that each State child support enforcement agency submits to the Internal Revenue Service for Federal income tax refund offset purposes shall be matched at least annually with the payroll or personnel files of Federal agencies in order to determine if there are any Federal employees with child support delinquencies. The list of matches shall be forwarded to the appropriate State child support enforcement agency to determine, in each instance, whether wage withholding or other enforcement actions should be commenced. All matches will be performed in accordance with 5 U.S.C. 552a(o)-(u).

(b) All Federal agencies shall inform current and prospective employees that crossmatches are routinely made between Federal personnel records

and State records on individuals who owe child support, and inform employees how to initiate voluntary wage withholding requests.

**Sec. 305. *Availability of Service.*** All Federal agencies shall advise current and prospective employees of services authorized under title IV-D of the Social Security Act that are available through the States. At a minimum, information shall be provided annually to current employees through the Employee Assistance Program, or similar programs, and to new employees during routine orientation.

**Sec. 306. *Report on Actions Taken.*** Within 90 days of the date of this order, all Federal agencies shall report to the Director of the Office of Management and Budget (OMB) on the actions they have taken to comply with this order and any statutory, regulatory, and administrative barriers that hinder them from complying with the requirements of part 3 of this order.

#### **PART 4—ADDITIONAL ACTIONS**

**Sec. 401. *Additional Review for the Uniformed Services.*** (a) In addition to the requirements outlined above, the Secretary of the Department of Defense (DOD) will chair a task force, with participation by the Department of Health and Human Services (HHS), the Department of Commerce, and the Department of Transportation, that shall conduct a full review of current policies and practices within the Uniformed Services to ensure that children of Uniformed Services personnel are provided financial and medical support in the same manner and within the same time frames as is mandated for all other children due such support. This review shall include, but not be limited to, issues related to withholding non-custodial parents' wages, service of legal process, activities to locate parents and their income and assets, release time to attend civil paternity and support proceedings, and health insurance coverage under the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS). All relevant existing statutes, including the Soldiers and Sailors Civil Relief Act of 1940, the Uniformed Services Former Spouses Protection Act, and the Tax Equity and Fiscal Responsibility Act of 1982, shall be reviewed and appropriate legislative modifications shall be identified.

(b) Within 180 days of the date of this order, DOD shall submit to OMB a report based on this review. The report shall recommend additional policy, regulatory and legislative changes that would improve and enhance the Federal Government's commitment to ensuring parental support for all children.

**Sec. 402. *Additional Federal Agency Actions.*** (a) OPM and HHS shall jointly study and prepare recommendations concerning additional administrative, regulatory, and legislative improvements in the policies and procedures of Federal agencies affecting child support enforcement. Other agencies shall be included in the development of recommendations for specific items as appropriate. The recommendations shall address, among other things:

(i) any changes that would be needed to ensure that Federal employees comply with child support orders that require them to provide health insurance coverage for their children;

(ii) changes needed to ensure that more accurate and up-to-date data about civilian and uniformed personnel who are being sought in conjunction with State paternity or child support actions can be obtained from



Federal agencies and their payroll and personnel records, to improve efforts to locate noncustodial parents and their income and assets;

(iii) changes needed for selecting Federal agencies to test and evaluate new approaches to the establishment and enforcement of child support obligations;

(iv) proposals to improve service of process for civilian employees and members of the Uniformed Services stationed outside the United States, including the possibility of serving process by certified mail in establishment and enforcement cases or of designating an agent for service of process that would have the same effect and bind employees to the same extent as actual service upon the employees;

(v) strategies to facilitate compliance with Federal and State child support requirements by quasi-governmental agencies, advisory groups, and commissions; and

(vi) analysis of whether compliance with support orders should be a factor used in defining suitability for Federal employment.

(b) The recommendations are due within 180 days of the date of this order. The recommendations are to be submitted in writing to the Office of Management and Budget.

**Sec. 501. *Internal Management.*** This order is intended only to improve the internal management of the executive branch with regard to child support enforcement and shall not be interpreted to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its officers, or any other person.

**Sec. 502. *Sovereignty of the United States Government.*** This order is intended only to provide that the Federal Government has elected to require Federal agencies to adhere to the same standards as are applicable to all other employers in the Nation and shall not be interpreted as subjecting the Federal Government to any State law or requirement. This order should not be construed as a waiver of the sovereign immunity of the United States Government or of any existing statutory or regulatory provisions, including 42 U.S.C. 659, 662, and 665; 5 CFR Part 581; 42 CFR Part 21, Subpart C; 32 CFR Part 54; and 32 CFR Part 81.

**Sec. 503. *Defense and Security.***

This order is not intended to require any action that would compromise the defense or national security interest of the United States.

WILLIAM J. CLINTON

THE WHITE HOUSE,

February 27, 1995.

Executive Order 12954 of March 8, 1995

## **Ensuring the Economical and Efficient Administration and Completion of Federal Government Contracts**

Efficient economic performance and productivity are directly related to the existence of cooperative working relationships between employers and employees. When Federal contractors become involved in prolonged labor disputes with their employees, the Federal Government's economy, efficiency, and cost of operations are adversely affected. In order to operate as effectively as possible, by receiving timely goods and quality services, the Federal Government must assist the entities with which it has contractual relations to develop stable relationships with their employees.

An important aspect of a stable collective bargaining relationship is the balance between allowing businesses to operate during a strike and preserving worker rights. This balance is disrupted when permanent replacement employees are hired. It has been found that strikes involving permanent replacement workers are longer in duration than other strikes. In addition, the use of permanent replacements can change a limited dispute into a broader, more contentious struggle, thereby exacerbating the problems that initially led to the strike. By permanently replacing its workers, an employer loses the accumulated knowledge, experience, skill, and expertise of its incumbent employees. These circumstances then adversely affect the businesses and entities, such as the Federal Government, which rely on that employer to provide high quality and reliable goods or services.

NOW, THEREFORE, to ensure the economical and efficient administration and completion of Federal Government contracts, and by the authority vested in me as President by the Constitution and the laws of the United States of America, including 40 U.S.C. 486(a) and 3 U.S.C. 301, it is hereby ordered as follows:

**Section 1.** It is the policy of the executive branch in procuring goods and services that, to ensure the economical and efficient administration and completion of Federal Government contracts, contracting agencies shall not contract with employers that permanently replace lawfully striking employees. All discretion under this Executive order shall be exercised consistent with this policy.

**Sec. 2. (a)** The Secretary of Labor ("Secretary") may investigate an organizational unit of a Federal contractor to determine whether the unit has permanently replaced lawfully striking workers. Such investigation shall be conducted in accordance with procedures established by the Secretary.

**(b)** The Secretary shall receive and may investigate complaints by employees of any entity covered under section 2(a) of this order where such complaints allege lawfully striking employees have been permanently replaced.

**(c)** The Secretary may hold such hearings, public or private, as he or she deems advisable, to determine whether an entity covered under section 2(a) has permanently replaced lawfully striking employees.

**Sec. 3. (a)** When the Secretary determines that a contractor has permanently replaced lawfully striking employees, the Secretary may make a finding that it is appropriate to terminate the contract for convenience. The

Secretary shall transmit that finding to the head of any department or agency that contracts with the contractor.

(b) The head of the contracting department or agency may object to the termination for convenience of a contract or contracts of a contractor determined to have permanently replaced legally striking employees. If the head of the agency so objects, he or she shall set forth the reasons for not terminating the contract or contracts in a response in writing to the Secretary. In such case, the termination for convenience shall not be issued. The head of the contracting agency or department shall report to the Secretary those contracts that have been terminated for convenience under this section.

**Sec. 4. (a)** When the Secretary determines that a contractor has permanently replaced lawfully striking employees, the Secretary may debar the contractor, thereby making the contractor ineligible to receive government contracts. The Secretary shall notify the Administrator of the General Services Administration of the debarment, and the Administrator shall include the contractor on the consolidated list of debarred contractors. Departments and agencies shall not solicit offers from, award contracts to, or consent to subcontracts with these contractors unless the head of the agency or his or her designee determines, in writing, that there is a compelling reason for such action, in accordance with the Federal Acquisition Regulation.

(b) The scope of the debarment normally will be limited to those organizational units of a Federal contractor that the Secretary finds to have permanently replaced lawfully striking workers.

(c) The period of the debarment may not extend beyond the date when the labor dispute precipitating the permanent replacement of lawfully striking workers has been resolved, as determined by the Secretary.

**Sec. 5.** The Secretary shall publish or cause to be published, in the **Federal Register**, the names of contractors that have, in the judgement of the Secretary, permanently replaced lawfully striking employees and have been the subject of debarment.

**Sec. 6.** The Secretary shall be responsible for the administration and enforcement of this order. The Secretary, after consultation with the Secretary of Defense, the Administrator of the General Services, the Administrator of the National Aeronautics and Space Administration, and the Administrator of the Office of Federal Procurement Policy, may adopt such rules and regulations and issue such orders as may be deemed necessary and appropriate to achieve the purposes of this order.

**Sec. 7.** Each contracting department and agency shall cooperate with the Secretary and provide such information and assistance as the Secretary may require in the performance of the Secretary's functions under this order.

**Sec. 8.** The Secretary may delegate any function or duty of the Secretary under this order to any officer in the Department of Labor or to any other officer in the executive branch of the Government, with the consent of the head of the department or agency in which that officer serves.

**Sec. 9.** The Secretary of Defense, the Administrator of the General Services, and the Administrator of the National Aeronautics and Space Administration, after consultation with the Administrator of the Office of Federal Procurement Policy, shall take whatever action is appropriate to implement

the provisions of this order and of any related rules, regulations, or orders of the Secretary issued pursuant to this order.

**Sec. 10.** This order is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or its employees. This order is not intended, however, to preclude judicial review of final agency decisions in accordance with the Administrative Procedure Act, 5 U.S.C. 701 *et seq.*

**Sec. 11.** The meaning of the term "organizational unit of a Federal contractor" as used in this order shall be defined in regulations that shall be issued by the Secretary of Labor, in consultation with affected agencies. This order shall apply only to contracts in excess of the Simplified Acquisition Threshold.

**Sec. 12. (a)** The provisions of section 3 of this order shall only apply to situations in which contractors have permanently replaced lawfully striking employees after the effective date of this order.

**(b)** This order is effective immediately.

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,**

***March 8, 1995.***

**Executive Order 12955 of March 9, 1995**

## **Nuclear Cooperation With EURATOM**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 126a(2) of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2155(a)(2)), and having determined that, upon the expiration of the period specified in the first proviso to section 126a(2) of such Act and extended for 12-month periods by Executive Order Nos. 12193, 12295, 12351, 12409, 12463, 12506, 12554, 12587, 12629, 12670, 12706, 12753, 12791, 12840, and 12903, failure to continue peaceful nuclear cooperation with the European Atomic Energy Community would be seriously prejudicial to the achievement of United States nonproliferation objectives and would otherwise jeopardize the common defense and security of the United States, and having notified the Congress of this determination, I hereby extend the duration of that period to December 31, 1995. Executive Order No. 12903 shall be superseded on the effective date of this Executive order.

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,**

***March 9, 1995.***

Executive Order 12956 of March 13, 1995

### **Israel-United States Binational Industrial Research and Development Foundation**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 1 of the International Organizations Immunities Act (22 U.S.C. 288), and having found that the Israel-United States Binational Industrial Research and Development Foundation is a public international organization in which the United States participates within the meaning of the International Organizations Immunities Act, I hereby designate the Israel-United States Binational Industrial Research and Development Foundation as a public international organization entitled to enjoy the privileges, exemptions, and immunities conferred by the International Organizations Immunities Act. This designation is not intended to abridge in any respect the privileges, exemptions, or immunities that such organization may have acquired or may acquire by international agreements or by congressional action.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
March 13, 1995.

Executive Order 12957 of March 15, 1995

### **Prohibiting Certain Transactions With Respect to the Development of Iranian Petroleum Resources**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code,

I, WILLIAM J. CLINTON, President of the United States of America, find that the actions and policies of the Government of Iran constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, and hereby declare a national emergency to deal with that threat.

I hereby order:

**Section 1.** The following are prohibited, except to the extent provided in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date of this order: (a) the entry into or performance by a United States person, or the approval by a United States person of the entry into or performance by an entity owned or controlled by a United States person, of (i) a contract that includes overall supervision and management responsibility for the development of petroleum resources located in Iran, or (ii) a guaranty of another person's performance under such a contract;

(b) the entry into or performance by a United States person, or the approval by a United States person of the entry into or performance by an entity owned or controlled by a United States person, of (i) a contract for the financing of the development of petroleum resources located in Iran, or (ii) a guaranty of another person's performance under such a contract; and

(c) any transaction by any United States person or within the United States that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order.

**Sec. 2.** For the purposes of this order: (a) The term "person" means an individual or entity;

(b) The term "entity" means a partnership, association, trust, joint venture, corporation, or other organization;

(c) The term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States (including foreign branches), or any person in the United States; and

(d) The term "Iran" means the land territory claimed by Iran and any other area over which Iran claims sovereignty, sovereign rights or jurisdiction, including the territorial sea, exclusive economic zone, and continental shelf claimed by Iran.

**Sec. 3.** The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to me by the International Emergency Economic Powers Act as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

**Sec. 4.** Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

**Sec. 5.** (a) This order is effective at 12:01 a.m., eastern standard time, on March 16, 1995.

(b) This order shall be transmitted to the Congress and published in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
March 15, 1995.

**Executive Order 12958 of April 17, 1995**

## **Classified National Security Information**

This order prescribes a uniform system for classifying, safeguarding, and declassifying national security information. Our democratic principles re-

quire that the American people be informed of the activities of their Government. Also, our Nation's progress depends on the free flow of information. Nevertheless, throughout our history, the national interest has required that certain information be maintained in confidence in order to protect our citizens, our democratic institutions, and our participation within the community of nations. Protecting information critical to our Nation's security remains a priority. In recent years, however, dramatic changes have altered, although not eliminated, the national security threats that we confront. These changes provide a greater opportunity to emphasize our commitment to open Government.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

## **PART 1—ORIGINAL CLASSIFICATION**

**Section 1.1. Definitions.** For purposes of this order:

(a) "National security" means the national defense or foreign relations of the United States.

(b) "Information" means any knowledge that can be communicated or documentary material, regardless of its physical form or characteristics, that is owned by, produced by or for, or is under the control of the United States Government. "Control" means the authority of the agency that originates information, or its successor in function, to regulate access to the information.

(c) "Classified national security information" (hereafter "classified information") means information that has been determined pursuant to this order or any predecessor order to require protection against unauthorized disclosure and is marked to indicate its classified status when in documentary form.

(d) "Foreign Government Information" means:

(1) information provided to the United States Government by a foreign government or governments, an international organization of governments, or any element thereof, with the expectation that the information, the source of the information, or both, are to be held in confidence;

(2) information produced by the United States pursuant to or as a result of a joint arrangement with a foreign government or governments, or an international organization of governments, or any element thereof, requiring that the information, the arrangement, or both, are to be held in confidence; or

(3) information received and treated as "Foreign Government Information" under the terms of a predecessor order.

(e) "Classification" means the act or process by which information is determined to be classified information.

(f) "Original classification" means an initial determination that information requires, in the interest of national security, protection against unauthorized disclosure.

(g) "Original classification authority" means an individual authorized in writing, either by the President, or by agency heads or other officials designated by the President, to classify information in the first instance.

(h) "Unauthorized disclosure" means a communication or physical transfer of classified information to an unauthorized recipient.

(i) "Agency" means any "Executive agency," as defined in 5 U.S.C. 105, and any other entity within the executive branch that comes into the possession of classified information.

(j) "Senior agency official" means the official designated by the agency head under section 5.6(c) of this order to direct and administer the agency's program under which information is classified, safeguarded, and declassified.

(k) "Confidential source" means any individual or organization that has provided, or that may reasonably be expected to provide, information to the United States on matters pertaining to the national security with the expectation that the information or relationship, or both, are to be held in confidence.

(l) "Damage to the national security" means harm to the national defense or foreign relations of the United States from the unauthorized disclosure of information, to include the sensitivity, value, and utility of that information.

**Sec. 1.2. Classification Standards.** (a) Information may be originally classified under the terms of this order only if all of the following conditions are met:

- (1) an original classification authority is classifying the information;
- (2) the information is owned by, produced by or for, or is under the control of the United States Government;
- (3) the information falls within one or more of the categories of information listed in section 1.5 of this order; and
- (4) the original classification authority determines that the unauthorized disclosure of the information reasonably could be expected to result in damage to the national security and the original classification authority is able to identify or describe the damage.

(b) If there is significant doubt about the need to classify information, it shall not be classified. This provision does not:

- (1) amplify or modify the substantive criteria or procedures for classification; or
- (2) create any substantive or procedural rights subject to judicial review.

(c) Classified information shall not be declassified automatically as a result of any unauthorized disclosure of identical or similar information.

**Sec. 1.3. Classification Levels.** (a) Information may be classified at one of the following three levels:

- (1) "Top Secret" shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause exceptionally grave damage to the national security that the original classification authority is able to identify or describe.



(2) "Secret" shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause serious damage to the national security that the original classification authority is able to identify or describe.

(3) "Confidential" shall be applied to information, the unauthorized disclosure of which reasonably could be expected to cause damage to the national security that the original classification authority is able to identify or describe.

(b) Except as otherwise provided by statute, no other terms shall be used to identify United States classified information.

(c) If there is significant doubt about the appropriate level of classification, it shall be classified at the lower level.

**Sec. 1.4. Classification Authority.** (a) The authority to classify information originally may be exercised only by:

(1) the President;

(2) agency heads and officials designated by the President in the Federal Register; or

(3) United States Government officials delegated this authority pursuant to paragraph (c), below.

(b) Officials authorized to classify information at a specified level are also authorized to classify information at a lower level.

(c) Delegation of original classification authority.

(1) Delegations of original classification authority shall be limited to the minimum required to administer this order. Agency heads are responsible for ensuring that designated subordinate officials have a demonstrable and continuing need to exercise this authority.

(2) "Top Secret" original classification authority may be delegated only by the President or by an agency head or official designated pursuant to paragraph (a)(2), above.

(3) "Secret" or "Confidential" original classification authority may be delegated only by the President; an agency head or official designated pursuant to paragraph (a)(2), above; or the senior agency official, provided that official has been delegated "Top Secret" original classification authority by the agency head.

(4) Each delegation of original classification authority shall be in writing and the authority shall not be redelegated except as provided in this order. Each delegation shall identify the official by name or position title.

(d) Original classification authorities must receive training in original classification as provided in this order and its implementing directives.

(e) Exceptional cases. When an employee, contractor, licensee, certificate holder, or grantee of an agency that does not have original classification authority originates information believed by that person to require classification, the information shall be protected in a manner consistent with this order and its implementing directives. The information shall be transmitted promptly as provided under this order or its implementing directives to the agency that has appropriate subject matter interest and classification au-

thority with respect to this information. That agency shall decide within 30 days whether to classify this information. If it is not clear which agency has classification responsibility for this information, it shall be sent to the Director of the Information Security Oversight Office. The Director shall determine the agency having primary subject matter interest and forward the information, with appropriate recommendations, to that agency for a classification determination.

**Sec. 1.5. Classification Categories.**

Information may not be considered for classification unless it concerns:

- (a) military plans, weapons systems, or operations;
- (b) foreign government information;
- (c) intelligence activities (including special activities), intelligence sources or methods, or cryptology;
- (d) foreign relations or foreign activities of the United States, including confidential sources;
- (e) scientific, technological, or economic matters relating to the national security;
- (f) United States Government programs for safeguarding nuclear materials or facilities; or
- (g) vulnerabilities or capabilities of systems, installations, projects or plans relating to the national security.

**Sec. 1.6. Duration of Classification.** (a) At the time of original classification, the original classification authority shall attempt to establish a specific date or event for declassification based upon the duration of the national security sensitivity of the information. The date or event shall not exceed the time frame in paragraph (b), below.

(b) If the original classification authority cannot determine an earlier specific date or event for declassification, information shall be marked for declassification 10 years from the date of the original decision, except as provided in paragraph (d), below.

(c) An original classification authority may extend the duration of classification or reclassify specific information for successive periods not to exceed 10 years at a time if such action is consistent with the standards and procedures established under this order. This provision does not apply to information contained in records that are more than 25 years old and have been determined to have permanent historical value under title 44, United States Code.

(d) At the time of original classification, the original classification authority may exempt from declassification within 10 years specific information, the unauthorized disclosure of which could reasonably be expected to cause damage to the national security for a period greater than that provided in paragraph (b), above, and the release of which could reasonably be expected to:

- (1) reveal an intelligence source, method, or activity, or a cryptologic system or activity;
- (2) reveal information that would assist in the development or use of weapons of mass destruction;

(3) reveal information that would impair the development or use of technology within a United States weapons system;

(4) reveal United States military plans, or national security emergency preparedness plans;

(5) reveal foreign government information;

(6) damage relations between the United States and a foreign government, reveal a confidential source, or seriously undermine diplomatic activities that are reasonably expected to be ongoing for a period greater than that provided in paragraph (b), above;

(7) impair the ability of responsible United States Government officials to protect the President, the Vice President, and other individuals for whom protection services, in the interest of national security, are authorized; or

(8) violate a statute, treaty, or international agreement.

(e) Information marked for an indefinite duration of classification under predecessor orders, for example, "Originating Agency's Determination Required," or information classified under predecessor orders that contains no declassification instructions shall be declassified in accordance with part 3 of this order.

**Sec. 1.7. Identification and Markings.** (a) At the time of original classification, the following shall appear on the face of each classified document, or shall be applied to other classified media in an appropriate manner:

(1) one of the three classification levels defined in section 1.3 of this order;

(2) the identity, by name or personal identifier and position, of the original classification authority;

(3) the agency and office of origin, if not otherwise evident;

(4) declassification instructions, which shall indicate one of the following:

(A) the date or event for declassification, as prescribed in section 1.6(a) or section 1.6(c); or

(B) the date that is 10 years from the date of original classification, as prescribed in section 1.6(b); or

(C) the exemption category from declassification, as prescribed in section 1.6(d); and

(5) a concise reason for classification which, at a minimum, cites the applicable classification categories in section 1.5 of this order.

(b) Specific information contained in paragraph (a), above, may be excluded if it would reveal additional classified information.

(c) Each classified document shall, by marking or other means, indicate which portions are classified, with the applicable classification level, which portions are exempt from declassification under section 1.6(d) of this order, and which portions are unclassified. In accordance with standards prescribed in directives issued under this order, the Director of the Information Security Oversight Office may grant waivers of this requirement

for specified classes of documents or information. The Director shall revoke any waiver upon a finding of abuse.

(d) Markings implementing the provisions of this order, including abbreviations and requirements to safeguard classified working papers, shall conform to the standards prescribed in implementing directives issued pursuant to this order.

(e) Foreign government information shall retain its original classification markings or shall be assigned a U.S. classification that provides a degree of protection at least equivalent to that required by the entity that furnished the information.

(f) Information assigned a level of classification under this or predecessor orders shall be considered as classified at that level of classification despite the omission of other required markings. Whenever such information is used in the derivative classification process or is reviewed for possible declassification, holders of such information shall coordinate with an appropriate classification authority for the application of omitted markings.

(g) The classification authority shall, whenever practicable, use a classified addendum whenever classified information constitutes a small portion of an otherwise unclassified document.

**Sec. 1.8. Classification Prohibitions and Limitations.** (a) In no case shall information be classified in order to:

- (1) conceal violations of law, inefficiency, or administrative error;
- (2) prevent embarrassment to a person, organization, or agency;
- (3) restrain competition; or

(4) prevent or delay the release of information that does not require protection in the interest of national security.

(b) Basic scientific research information not clearly related to the national security may not be classified.

(c) Information may not be reclassified after it has been declassified and released to the public under proper authority.

(d) Information that has not previously been disclosed to the public under proper authority may be classified or reclassified after an agency has received a request for it under the Freedom of Information Act (5 U.S.C. 552) or the Privacy Act of 1974 (5 U.S.C. 552a), or the mandatory review provisions of section 3.6 of this order only if such classification meets the requirements of this order and is accomplished on a document-by-document basis with the personal participation or under the direction of the agency head, the deputy agency head, or the senior agency official designated under section 5.6 of this order. This provision does not apply to classified information contained in records that are more than 25 years old and have been determined to have permanent historical value under title 44, United States Code.

(e) Compilations of items of information which are individually unclassified may be classified if the compiled information reveals an additional association or relationship that:

- (1) meets the standards for classification under this order; and
- (2) is not otherwise revealed in the individual items of information.

As used in this order, "compilation" means an aggregation of pre-existing unclassified items of information.

**Sec. 1.9. Classification Challenges.** (a) Authorized holders of information who, in good faith, believe that its classification status is improper are encouraged and expected to challenge the classification status of the information in accordance with agency procedures established under paragraph (b), below.

(b) In accordance with implementing directives issued pursuant to this order, an agency head or senior agency official shall establish procedures under which authorized holders of information are encouraged and expected to challenge the classification of information that they believe is improperly classified or unclassified. These procedures shall assure that:

- (1) individuals are not subject to retribution for bringing such actions;
- (2) an opportunity is provided for review by an impartial official or panel; and
- (3) individuals are advised of their right to appeal agency decisions to the Interagency Security Classification Appeals Panel established by section 5.4 of this order.

## **PART 2—DERIVATIVE CLASSIFICATION**

**Sec. 2.1. Definitions.** For purposes of this order:

(a) "Derivative classification" means the incorporating, paraphrasing, restating or generating in new form information that is already classified, and marking the newly developed material consistent with the classification markings that apply to the source information. Derivative classification includes the classification of information based on classification guidance. The duplication or reproduction of existing classified information is not derivative classification.

(b) "Classification guidance" means any instruction or source that prescribes the classification of specific information.

(c) "Classification guide" means a documentary form of classification guidance issued by an original classification authority that identifies the elements of information regarding a specific subject that must be classified and establishes the level and duration of classification for each such element.

(d) "Source document" means an existing document that contains classified information that is incorporated, paraphrased, restated, or generated in new form into a new document.

(e) "Multiple sources" means two or more source documents, classification guides, or a combination of both.

**Sec. 2.2. Use of Derivative Classification.** (a) Persons who only reproduce, extract, or summarize classified information, or who only apply classification markings derived from source material or as directed by a classification guide, need not possess original classification authority.

(b) Persons who apply derivative classification markings shall:

- (1) observe and respect original classification decisions; and

(2) carry forward to any newly created documents the pertinent classification markings. For information derivatively classified based on multiple sources, the derivative classifier shall carry forward:

(A) the date or event for declassification that corresponds to the longest period of classification among the sources; and

(B) a listing of these sources on or attached to the official file or record copy.

**Sec. 2.3. Classification Guides.** (a) Agencies with original classification authority shall prepare classification guides to facilitate the proper and uniform derivative classification of information. These guides shall conform to standards contained in directives issued under this order.

(b) Each guide shall be approved personally and in writing by an official who:

(1) has program or supervisory responsibility over the information or is the senior agency official; and

(2) is authorized to classify information originally at the highest level of classification prescribed in the guide.

(c) Agencies shall establish procedures to assure that classification guides are reviewed and updated as provided in directives issued under this order.

### **PART 3—DECLASSIFICATION AND DOWNGRADING**

**Sec. 3.1. Definitions.** For purposes of this order:

(a) "Declassification" means the authorized change in the status of information from classified information to unclassified information.

(b) "Automatic declassification" means the declassification of information based solely upon:

(1) the occurrence of a specific date or event as determined by the original classification authority; or

(2) the expiration of a maximum time frame for duration of classification established under this order.

(c) "Declassification authority" means:

(1) the official who authorized the original classification, if that official is still serving in the same position;

(2) the originator's current successor in function;

(3) a supervisory official of either; or

(4) officials delegated declassification authority in writing by the agency head or the senior agency official.

(d) "Mandatory declassification review" means the review for declassification of classified information in response to a request for declassification that meets the requirements under section 3.6 of this order.

(e) "Systematic declassification review" means the review for declassification of classified information contained in records that have been determined by the Archivist of the United States ("Archivist") to have perma-

nent historical value in accordance with chapter 33 of title 44, United States Code.

(f) "Declassification guide" means written instructions issued by a declassification authority that describes the elements of information regarding a specific subject that may be declassified and the elements that must remain classified.

(g) "Downgrading" means a determination by a declassification authority that information classified and safeguarded at a specified level shall be classified and safeguarded at a lower level.

(h) "File series" means documentary material, regardless of its physical form or characteristics, that is arranged in accordance with a filing system or maintained as a unit because it pertains to the same function or activity.

**Sec. 3.2. Authority for Declassification.** (a) Information shall be declassified as soon as it no longer meets the standards for classification under this order.

(b) It is presumed that information that continues to meet the classification requirements under this order requires continued protection. In some exceptional cases, however, the need to protect such information may be outweighed by the public interest in disclosure of the information, and in these cases the information should be declassified. When such questions arise, they shall be referred to the agency head or the senior agency official. That official will determine, as an exercise of discretion, whether the public interest in disclosure outweighs the damage to national security that might reasonably be expected from disclosure. This provision does not:

(1) amplify or modify the substantive criteria or procedures for classification; or

(2) create any substantive or procedural rights subject to judicial review.

(c) If the Director of the Information Security Oversight Office determines that information is classified in violation of this order, the Director may require the information to be declassified by the agency that originated the classification. Any such decision by the Director may be appealed to the President through the Assistant to the President for National Security Affairs. The information shall remain classified pending a prompt decision on the appeal.

(d) The provisions of this section shall also apply to agencies that, under the terms of this order, do not have original classification authority, but had such authority under predecessor orders.

**Sec. 3.3. Transferred Information.** (a) In the case of classified information transferred in conjunction with a transfer of functions, and not merely for storage purposes, the receiving agency shall be deemed to be the originating agency for purposes of this order.

(b) In the case of classified information that is not officially transferred as described in paragraph (a), above, but that originated in an agency that has ceased to exist and for which there is no successor agency, each agency in possession of such information shall be deemed to be the originating agency for purposes of this order. Such information may be declassified or downgraded by the agency in possession after consultation with any other agency that has an interest in the subject matter of the information.

(c) Classified information accessioned into the National Archives and Records Administration ("National Archives") as of the effective date of this order shall be declassified or downgraded by the Archivist in accordance with this order, the directives issued pursuant to this order, agency declassification guides, and any existing procedural agreement between the Archivist and the relevant agency head.

(d) The originating agency shall take all reasonable steps to declassify classified information contained in records determined to have permanent historical value before they are accessioned into the National Archives. However, the Archivist may require that records containing classified information be accessioned into the National Archives when necessary to comply with the provisions of the Federal Records Act. This provision does not apply to information being transferred to the Archivist pursuant to section 2203 of title 44, United States Code, or information for which the National Archives and Records Administration serves as the custodian of the records of an agency or organization that goes out of existence.

(e) To the extent practicable, agencies shall adopt a system of records management that will facilitate the public release of documents at the time such documents are declassified pursuant to the provisions for automatic declassification in sections 1.6 and 3.4 of this order.

**Sec. 3.4. Automatic Declassification.** (a) Subject to paragraph (b), below, within 5 years from the date of this order, all classified information contained in records that (1) are more than 25 years old, and (2) have been determined to have permanent historical value under title 44, United States Code, shall be automatically declassified whether or not the records have been reviewed. Subsequently, all classified information in such records shall be automatically declassified no longer than 25 years from the date of its original classification, except as provided in paragraph (b), below.

(b) An agency head may exempt from automatic declassification under paragraph (a), above, specific information, the release of which should be expected to:

(1) reveal the identity of a confidential human source, or reveal information about the application of an intelligence source or method, or reveal the identity of a human intelligence source when the unauthorized disclosure of that source would clearly and demonstrably damage the national security interests of the United States;

(2) reveal information that would assist in the development or use of weapons of mass destruction;

(3) reveal information that would impair U.S. cryptologic systems or activities;

(4) reveal information that would impair the application of state of the art technology within a U.S. weapon system;

(5) reveal actual U.S. military war plans that remain in effect;

(6) reveal information that would seriously and demonstrably impair relations between the United States and a foreign government, or seriously and demonstrably undermine ongoing diplomatic activities of the United States;

(7) reveal information that would clearly and demonstrably impair the current ability of United States Government officials to protect the Presi-



dent, Vice President, and other officials for whom protection services, in the interest of national security, are authorized;

(8) reveal information that would seriously and demonstrably impair current national security emergency preparedness plans; or

(9) violate a statute, treaty, or international agreement.

(c) No later than the effective date of this order, an agency head shall notify the President through the Assistant to the President for National Security Affairs of any specific file series of records for which a review or assessment has determined that the information within those file series almost invariably falls within one or more of the exemption categories listed in paragraph (b), above, and which the agency proposes to exempt from automatic declassification. The notification shall include:

(1) a description of the file series;

(2) an explanation of why the information within the file series is almost invariably exempt from automatic declassification and why the information must remain classified for a longer period of time; and

(3) except for the identity of a confidential human source or a human intelligence source, as provided in paragraph (b), above, a specific date or event for declassification of the information.

The President may direct the agency head not to exempt the file series or to declassify the information within that series at an earlier date than recommended.

(d) At least 180 days before information is automatically declassified under this section, an agency head or senior agency official shall notify the Director of the Information Security Oversight Office, serving as Executive Secretary of the Interagency Security Classification Appeals Panel, of any specific information beyond that included in a notification to the President under paragraph (c), above, that the agency proposes to exempt from automatic declassification. The notification shall include:

(1) a description of the information;

(2) an explanation of why the information is exempt from automatic declassification and must remain classified for a longer period of time; and

(3) except for the identity of a confidential human source or a human intelligence source, as provided in paragraph (b), above, a specific date or event for declassification of the information. The Panel may direct the agency not to exempt the information or to declassify it at an earlier date than recommended. The agency head may appeal such a decision to the President through the Assistant to the President for National Security Affairs. The information will remain classified while such an appeal is pending.

(e) No later than the effective date of this order, the agency head or senior agency official shall provide the Director of the Information Security Oversight Office with a plan for compliance with the requirements of this section, including the establishment of interim target dates. Each such plan shall include the requirement that the agency declassify at least 15 percent of the records affected by this section no later than 1 year from the effective date of this order, and similar commitments for subsequent years until the effective date for automatic declassification.

(f) Information exempted from automatic declassification under this section shall remain subject to the mandatory and systematic declassification review provisions of this order.

(g) The Secretary of State shall determine when the United States should commence negotiations with the appropriate officials of a foreign government or international organization of governments to modify any treaty or international agreement that requires the classification of information contained in records affected by this section for a period longer than 25 years from the date of its creation, unless the treaty or international agreement pertains to information that may otherwise remain classified beyond 25 years under this section.

**Sec. 3.5. Systematic Declassification Review.** (a) Each agency that has originated classified information under this order or its predecessors shall establish and conduct a program for systematic declassification review. This program shall apply to historically valuable records exempted from automatic declassification under section 3.4 of this order. Agencies shall prioritize the systematic review of records based upon:

(1) recommendations of the Information Security Policy Advisory Council, established in section 5.5 of this order, on specific subject areas for systematic review concentration; or

(2) the degree of researcher interest and the likelihood of declassification upon review.

(b) The Archivist shall conduct a systematic declassification review program for classified information: (1) accessioned into the National Archives as of the effective date of this order; (2) information transferred to the Archivist pursuant to section 2203 of title 44, United States Code; and (3) information for which the National Archives and Records Administration serves as the custodian of the records of an agency or organization that has gone out of existence. This program shall apply to pertinent records no later than 25 years from the date of their creation. The Archivist shall establish priorities for the systematic review of these records based upon the recommendations of the Information Security Policy Advisory Council; or the degree of researcher interest and the likelihood of declassification upon review. These records shall be reviewed in accordance with the standards of this order, its implementing directives, and declassification guides provided to the Archivist by each agency that originated the records. The Director of the Information Security Oversight Office shall assure that agencies provide the Archivist with adequate and current declassification guides.

(c) After consultation with affected agencies, the Secretary of Defense may establish special procedures for systematic review for declassification of classified cryptologic information, and the Director of Central Intelligence may establish special procedures for systematic review for declassification of classified information pertaining to intelligence activities (including special activities), or intelligence sources or methods.

**Sec. 3.6. Mandatory Declassification Review.** (a) Except as provided in paragraph (b), below, all information classified under this order or predecessor orders shall be subject to a review for declassification by the originating agency if:

(1) the request for a review describes the document or material containing the information with sufficient specificity to enable the agency to locate it with a reasonable amount of effort;

(2) the information is not exempted from search and review under the Central Intelligence Agency Information Act; and

(3) the information has not been reviewed for declassification within the past 2 years. If the agency has reviewed the information within the past 2 years, or the information is the subject of pending litigation, the agency shall inform the requester of this fact and of the requester's appeal rights.

(b) Information originated by:

(1) the incumbent President;

(2) the incumbent President's White House Staff;

(3) committees, commissions, or boards appointed by the incumbent President; or

(4) other entities within the Executive Office of the President that solely advise and assist the incumbent President is exempted from the provisions of paragraph (a), above. However, the Archivist shall have the authority to review, downgrade, and declassify information of former Presidents under the control of the Archivist pursuant to sections 2107, 2111, 2111 note, or 2203 of title 44, United States Code. Review procedures developed by the Archivist shall provide for consultation with agencies having primary subject matter interest and shall be consistent with the provisions of applicable laws or lawful agreements that pertain to the respective Presidential papers or records. Agencies with primary subject matter interest shall be notified promptly of the Archivist's decision. Any final decision by the Archivist may be appealed by the requester or an agency to the Interagency Security Classification Appeals Panel. The information shall remain classified pending a prompt decision on the appeal.

(c) Agencies conducting a mandatory review for declassification shall declassify information that no longer meets the standards for classification under this order. They shall release this information unless withholding is otherwise authorized and warranted under applicable law.

(d) In accordance with directives issued pursuant to this order, agency heads shall develop procedures to process requests for the mandatory review of classified information. These procedures shall apply to information classified under this or predecessor orders. They also shall provide a means for administratively appealing a denial of a mandatory review request, and for notifying the requester of the right to appeal a final agency decision to the Interagency Security Classification Appeals Panel.

(e) After consultation with affected agencies, the Secretary of Defense shall develop special procedures for the review of cryptologic information, the Director of Central Intelligence shall develop special procedures for the review of information pertaining to intelligence activities (including special activities), or intelligence sources or methods, and the Archivist shall develop special procedures for the review of information accessioned into the National Archives.

**Sec. 3.7. Processing Requests and Reviews.** In response to a request for information under the Freedom of Information Act, the Privacy Act of 1974,

or the mandatory review provisions of this order, or pursuant to the automatic declassification or systematic review provisions of this order:

(a) An agency may refuse to confirm or deny the existence or nonexistence of requested information whenever the fact of its existence or nonexistence is itself classified under this order.

(b) When an agency receives any request for documents in its custody that contain information that was originally classified by another agency, or comes across such documents in the process of the automatic declassification or systematic review provisions of this order, it shall refer copies of any request and the pertinent documents to the originating agency for processing, and may, after consultation with the originating agency, inform any requester of the referral unless such association is itself classified under this order. In cases in which the originating agency determines in writing that a response under paragraph (a), above, is required, the referring agency shall respond to the requester in accordance with that paragraph.

**Sec. 3.8. *Declassification Database.*** (a) The Archivist in conjunction with the Director of the Information Security Oversight Office and those agencies that originate classified information, shall establish a Governmentwide database of information that has been declassified. The Archivist shall also explore other possible uses of technology to facilitate the declassification process.

(b) Agency heads shall fully cooperate with the Archivist in these efforts.

(c) Except as otherwise authorized and warranted by law, all declassified information contained within the database established under paragraph (a), above, shall be available to the public.

#### **PART 4—SAFEGUARDING**

**Sec. 4.1. *Definitions.*** For purposes of this order: (a) “Safeguarding” means measures and controls that are prescribed to protect classified information.

(b) “Access” means the ability or opportunity to gain knowledge of classified information.

(c) “Need-to-know” means a determination made by an authorized holder of classified information that a prospective recipient requires access to specific classified information in order to perform or assist in a lawful and authorized governmental function.

(d) “Automated information system” means an assembly of computer hardware, software, or firmware configured to collect, create, communicate, compute, disseminate, process, store, or control data or information.

(e) “Integrity” means the state that exists when information is unchanged from its source and has not been accidentally or intentionally modified, altered, or destroyed.

(f) “Network” means a system of two or more computers that can exchange data or information.

(g) “Telecommunications” means the preparation, transmission, or communication of information by electronic means.

(h) “Special access program” means a program established for a specific class of classified information that imposes safeguarding and access re-

quirements that exceed those normally required for information at the same classification level.

**Sec. 4.2. General Restrictions on Access.** (a) A person may have access to classified information provided that:

(1) a favorable determination of eligibility for access has been made by an agency head or the agency head's designee;

(2) the person has signed an approved nondisclosure agreement; and

(3) the person has a need-to-know the information.

(b) Classified information shall remain under the control of the originating agency or its successor in function. An agency shall not disclose information originally classified by another agency without its authorization. An official or employee leaving agency service may not remove classified information from the agency's control.

(c) Classified information may not be removed from official premises without proper authorization.

(d) Persons authorized to disseminate classified information outside the executive branch shall assure the protection of the information in a manner equivalent to that provided within the executive branch.

(e) Consistent with law, directives, and regulation, an agency head or senior agency official shall establish uniform procedures to ensure that automated information systems, including networks and telecommunications systems, that collect, create, communicate, compute, disseminate, process, or store classified information have controls that:

(1) prevent access by unauthorized persons; and

(2) ensure the integrity of the information.

(f) Consistent with law, directives, and regulation, each agency head or senior agency official shall establish controls to ensure that classified information is used, processed, stored, reproduced, transmitted, and destroyed under conditions that provide adequate protection and prevent access by unauthorized persons.

(g) Consistent with directives issued pursuant to this order, an agency shall safeguard foreign government information under standards that provide a degree of protection at least equivalent to that required by the government or international organization of governments that furnished the information. When adequate to achieve equivalency, these standards may be less restrictive than the safeguarding standards that ordinarily apply to United States "Confidential" information, including allowing access to individuals with a need-to-know who have not otherwise been cleared for access to classified information or executed an approved nondisclosure agreement.

(h) Except as provided by statute or directives issued pursuant to this order, classified information originating in one agency may not be disseminated outside any other agency to which it has been made available without the consent of the originating agency. An agency head or senior agency official may waive this requirement for specific information originated within that agency. For purposes of this section, the Department of Defense shall be considered one agency.

**Sec. 4.3. *Distribution Controls.*** (a) Each agency shall establish controls over the distribution of classified information to assure that it is distributed only to organizations or individuals eligible for access who also have a need-to-know the information.

(b) Each agency shall update, at least annually, the automatic, routine, or recurring distribution of classified information that they distribute. Recipients shall cooperate fully with distributors who are updating distribution lists and shall notify distributors whenever a relevant change in status occurs.

**Sec. 4.4. *Special Access Programs.*** (a) Establishment of special access programs. Unless otherwise authorized by the President, only the Secretaries of State, Defense and Energy, and the Director of Central Intelligence, or the principal deputy of each, may create a special access program. For special access programs pertaining to intelligence activities (including special activities, but not including military operational, strategic and tactical programs), or intelligence sources or methods, this function will be exercised by the Director of Central Intelligence. These officials shall keep the number of these programs at an absolute minimum, and shall establish them only upon a specific finding that:

(1) the vulnerability of, or threat to, specific information is exceptional; and

(2) the normal criteria for determining eligibility for access applicable to information classified at the same level are not deemed sufficient to protect the information from unauthorized disclosure; or

(3) the program is required by statute.

(b) *Requirements and Limitations.* (1) Special access programs shall be limited to programs in which the number of persons who will have access ordinarily will be reasonably small and commensurate with the objective of providing enhanced protection for the information involved.

(2) Each agency head shall establish and maintain a system of accounting for special access programs consistent with directives issued pursuant to this order.

(3) Special access programs shall be subject to the oversight program established under section 5.6(c) of this order. In addition, the Director of the Information Security Oversight Office shall be afforded access to these programs, in accordance with the security requirements of each program, in order to perform the functions assigned to the Information Security Oversight Office under this order. An agency head may limit access to a special access program to the Director and no more than one other employee of the Information Security Oversight Office; or, for special access programs that are extraordinarily sensitive and vulnerable, to the Director only.

(4) The agency head or principal deputy shall review annually each special access program to determine whether it continues to meet the requirements of this order.

(5) Upon request, an agency shall brief the Assistant to the President for National Security Affairs, or his or her designee, on any or all of the agency's special access programs.

(c) Within 180 days after the effective date of this order, each agency head or principal deputy shall review all existing special access programs under the agency's jurisdiction. These officials shall terminate any special access programs that do not clearly meet the provisions of this order. Each existing special access program that an agency head or principal deputy validates shall be treated as if it were established on the effective date of this order.

(d) Nothing in this order shall supersede any requirement made by or under 10 U.S.C. 119.

**Sec. 4.5. Access by Historical Researchers and Former Presidential Appointees.** (a) The requirement in section 4.2(a)(3) of this order that access to classified information may be granted only to individuals who have a need-to-know the information may be waived for persons who:

- (1) are engaged in historical research projects; or
- (2) previously have occupied policy-making positions to which they were appointed by the President.

(b) Waivers under this section may be granted only if the agency head or senior agency official of the originating agency:

- (1) determines in writing that access is consistent with the interest of national security;
- (2) takes appropriate steps to protect classified information from unauthorized disclosure or compromise, and ensures that the information is safeguarded in a manner consistent with this order; and
- (3) limits the access granted to former Presidential appointees to items that the person originated, reviewed, signed, or received while serving as a Presidential appointee.

## **PART 5—IMPLEMENTATION AND REVIEW**

**Sec. 5.1. Definitions.** For purposes of this order: (a) "Self-inspection" means the internal review and evaluation of individual agency activities and the agency as a whole with respect to the implementation of the program established under this order and its implementing directives.

(b) "Violation" means:

- (1) any knowing, willful, or negligent action that could reasonably be expected to result in an unauthorized disclosure of classified information;
- (2) any knowing, willful, or negligent action to classify or continue the classification of information contrary to the requirements of this order or its implementing directives; or
- (3) any knowing, willful, or negligent action to create or continue a special access program contrary to the requirements of this order.

(c) "Infraction" means any knowing, willful, or negligent action contrary to the requirements of this order or its implementing directives that does not comprise a "violation," as defined above.

**Sec. 5.2. Program Direction.** (a) The Director of the Office of Management and Budget, in consultation with the Assistant to the President for National Security Affairs and the co-chairs of the Security Policy Board, shall issue such directives as are necessary to implement this order. These directives

shall be binding upon the agencies. Directives issued by the Director of the Office of Management and Budget shall establish standards for:

- (1) classification and marking principles;
- (2) agency security education and training programs;
- (3) agency self-inspection programs; and
- (4) classification and declassification guides.

(b) The Director of the Office of Management and Budget shall delegate the implementation and monitorship functions of this program to the Director of the Information Security Oversight Office.

(c) The Security Policy Board, established by a Presidential Decision Directive, shall make a recommendation to the President through the Assistant to the President for National Security Affairs with respect to the issuance of a Presidential directive on safeguarding classified information. The Presidential directive shall pertain to the handling, storage, distribution, transmittal, and destruction of and accounting for classified information.

**Sec. 5.3. Information Security Oversight Office.** (a) There is established within the Office of Management and Budget an Information Security Oversight Office. The Director of the Office of Management and Budget shall appoint the Director of the Information Security Oversight Office, subject to the approval of the President.

(b) Under the direction of the Director of the Office of Management and Budget acting in consultation with the Assistant to the President for National Security Affairs, the Director of the Information Security Oversight Office shall:

- (1) develop directives for the implementation of this order;
- (2) oversee agency actions to ensure compliance with this order and its implementing directives;
- (3) review and approve agency implementing regulations and agency guides for systematic declassification review prior to their issuance by the agency;
- (4) have the authority to conduct on-site reviews of each agency's program established under this order, and to require of each agency those reports, information, and other cooperation that may be necessary to fulfill its responsibilities. If granting access to specific categories of classified information would pose an exceptional national security risk, the affected agency head or the senior agency official shall submit a written justification recommending the denial of access to the Director of the Office of Management and Budget within 60 days of the request for access. Access shall be denied pending a prompt decision by the Director of the Office of Management and Budget, who shall consult on this decision with the Assistant to the President for National Security Affairs;
- (5) review requests for original classification authority from agencies or officials not granted original classification authority and, if deemed appropriate, recommend Presidential approval through the Director of the Office of Management and Budget;
- (6) consider and take action on complaints and suggestions from persons within or outside the Government with respect to the administration of the program established under this order;



(7) have the authority to prescribe, after consultation with affected agencies, standardization of forms or procedures that will promote the implementation of the program established under this order;

(8) report at least annually to the President on the implementation of this order; and

(9) convene and chair interagency meetings to discuss matters pertaining to the program established by this order.

**Sec. 5.4. Interagency Security Classification Appeals Panel.**

**(a) Establishment and Administration.**

(1) There is established an Interagency Security Classification Appeals Panel ("Panel"). The Secretaries of State and Defense, the Attorney General, the Director of Central Intelligence, the Archivist of the United States, and the Assistant to the President for National Security Affairs shall each appoint a senior level representative to serve as a member of the Panel. The President shall select the Chair of the Panel from among the Panel members.

(2) A vacancy on the Panel shall be filled as quickly as possible as provided in paragraph (1), above.

(3) The Director of the Information Security Oversight Office shall serve as the Executive Secretary. The staff of the Information Security Oversight Office shall provide program and administrative support for the Panel.

(4) The members and staff of the Panel shall be required to meet eligibility for access standards in order to fulfill the Panel's functions.

(5) The Panel shall meet at the call of the Chair. The Chair shall schedule meetings as may be necessary for the Panel to fulfill its functions in a timely manner.

(6) The Information Security Oversight Office shall include in its reports to the President a summary of the Panel's activities.

**(b) Functions.** The Panel shall:

(1) decide on appeals by persons who have filed classification challenges under section 1.9 of this order;

(2) approve, deny, or amend agency exemptions from automatic declassification as provided in section 3.4 of this order; and

(3) decide on appeals by persons or entities who have filed requests for mandatory declassification review under section 3.6 of this order.

**(c) Rules and Procedures.** The Panel shall issue bylaws, which shall be published in the **Federal Register** no later than 120 days from the effective date of this order. The bylaws shall establish the rules and procedures that the Panel will follow in accepting, considering, and issuing decisions on appeals. The rules and procedures of the Panel shall provide that the Panel will consider appeals only on actions in which: (1) the appellant has exhausted his or her administrative remedies within the responsible agency; (2) there is no current action pending on the issue within the federal courts; and (3) the information has not been the subject of review by the federal courts or the Panel within the past 2 years.

(d) Agency heads will cooperate fully with the Panel so that it can fulfill its functions in a timely and fully informed manner. An agency head may appeal a decision of the Panel to the President through the Assistant to the President for National Security Affairs. The Panel will report to the President through the Assistant to the President for National Security Affairs any instance in which it believes that an agency head is not cooperating fully with the Panel.

(e) The Appeals Panel is established for the sole purpose of advising and assisting the President in the discharge of his constitutional and discretionary authority to protect the national security of the United States. Panel decisions are committed to the discretion of the Panel, unless reversed by the President.

**Sec. 5.5. Information Security Policy Advisory Council.**

(a) *Establishment.* There is established an Information Security Policy Advisory Council ("Council"). The Council shall be composed of seven members appointed by the President for staggered terms not to exceed 4 years, from among persons who have demonstrated interest and expertise in an area related to the subject matter of this order and are not otherwise employees of the Federal Government. The President shall appoint the Council Chair from among the members. The Council shall comply with the Federal Advisory Committee Act, as amended, 5 U.S.C. App. 2.

(b) *Functions.* The Council shall:

(1) advise the President, the Assistant to the President for National Security Affairs, the Director of the Office of Management and Budget, or such other executive branch officials as it deems appropriate, on policies established under this order or its implementing directives, including recommended changes to those policies;

(2) provide recommendations to agency heads for specific subject areas for systematic declassification review; and

(3) serve as a forum to discuss policy issues in dispute.

(c) *Meetings.* The Council shall meet at least twice each calendar year, and as determined by the Assistant to the President for National Security Affairs or the Director of the Office of Management and Budget.

(d) *Administration.*

(1) Each Council member may be compensated at a rate of pay not to exceed the daily equivalent of the annual rate of basic pay in effect for grade GS-18 of the general schedule under section 511 6 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Council.

(2) While away from their homes or regular place of business in the actual performance of the duties of the Council, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5703(b)).

(3) To the extent permitted by law and subject to the availability of funds, the Information Security Oversight Office shall provide the Council with administrative services, facilities, staff, and other support services necessary for the performance of its functions.

(4) Notwithstanding any other Executive order, the functions of the President under the Federal Advisory Committee Act, as amended, that are applicable to the Council, except that of reporting to the Congress, shall be performed by the Director of the Information Security Oversight Office in accordance with the guidelines and procedures established by the General Services Administration.

**Sec. 5.6. General Responsibilities.** Heads of agencies that originate or handle classified information shall:

(a) demonstrate personal commitment and commit senior management to the successful implementation of the program established under this order;

(b) commit necessary resources to the effective implementation of the program established under this order; and

(c) designate a senior agency official to direct and administer the program, whose responsibilities shall include:

(1) overseeing the agency's program established under this order, provided, an agency head may designate a separate official to oversee special access programs authorized under this order. This official shall provide a full accounting of the agency's special access programs at least annually;

(2) promulgating implementing regulations, which shall be published in the *Federal Register* to the extent that they affect members of the public;

(3) establishing and maintaining security education and training programs;

(4) establishing and maintaining an ongoing self-inspection program, which shall include the periodic review and assessment of the agency's classified product;

(5) establishing procedures to prevent unnecessary access to classified information, including procedures that: (i) require that a need for access to classified information is established before initiating administrative clearance procedures; and (ii) ensure that the number of persons granted access to classified information is limited to the minimum consistent with operational and security requirements and needs;

(6) developing special contingency plans for the safeguarding of classified information used in or near hostile or potentially hostile areas;

(7) assuring that the performance contract or other system used to rate civilian or military personnel performance includes the management of classified information as a critical element or item to be evaluated in the rating of: (i) original classification authorities; (ii) security managers or security specialists; and (iii) all other personnel whose duties significantly involve the creation or handling of classified information;

(8) accounting for the costs associated with the implementation of this order, which shall be reported to the Director of the Information Security Oversight Office for publication; and

(9) assigning in a prompt manner agency personnel to respond to any request, appeal, challenge, complaint, or suggestion arising out of this order that pertains to classified information that originated in a component of the agency that no longer exists and for which there is no clear successor in function.

**Sec. 5.7. Sanctions.** (a) If the Director of the Information Security Oversight Office finds that a violation of this order or its implementing directives may have occurred, the Director shall make a report to the head of the agency or to the senior agency official so that corrective steps, if appropriate, may be taken.

(b) Officers and employees of the United States Government, and its contractors, licensees, certificate holders, and grantees shall be subject to appropriate sanctions if they knowingly, willfully, or negligently:

(1) disclose to unauthorized persons information properly classified under this order or predecessor orders;

(2) classify or continue the classification of information in violation of this order or any implementing directive;

(3) create or continue a special access program contrary to the requirements of this order; or

(4) contravene any other provision of this order or its implementing directives.

(c) Sanctions may include reprimand, suspension without pay, removal, termination of classification authority, loss or denial of access to classified information, or other sanctions in accordance with applicable law and agency regulation.

(d) The agency head, senior agency official, or other supervisory official shall, at a minimum, promptly remove the classification authority of any individual who demonstrates reckless disregard or a pattern of error in applying the classification standards of this order.

(e) The agency head or senior agency official shall:

(1) take appropriate and prompt corrective action when a violation or infraction under paragraph (b), above, occurs; and

(2) notify the Director of the Information Security Oversight Office when a violation under paragraph (b)(1), (2) or (3), above, occurs.

## **PART 6—GENERAL PROVISIONS**

**Sec. 6.1. General Provisions.** (a) Nothing in this order shall supersede any requirement made by or under the Atomic Energy Act of 1954, as amended, or the National Security Act of 1947, as amended. "Restricted Data" and "Formerly Restricted Data" shall be handled, protected, classified, downgraded, and declassified in conformity with the provisions of the Atomic Energy Act of 1954, as amended, and regulations issued under that Act.

(b) The Attorney General, upon request by the head of an agency or the Director of the Information Security Oversight Office, shall render an interpretation of this order with respect to any question arising in the course of its administration.

(c) Nothing in this order limits the protection afforded any information by other provisions of law, including the exemptions to the Freedom of Information Act, the Privacy Act, and the National Security Act of 1947, as amended. This order is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or its employees.

The foregoing is in addition to the specific provisos set forth in sections 1.2(b), 3.2(b) and 5.4(e) of this order.

(d) Executive Order No. 12356 of April 6, 1982, is revoked as of the effective date of this order.

**Sec. 6.2. Effective Date.** This order shall become effective 180 days from the date of this order.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
April 17, 1995.

Executive Order 12959 of May 6, 1995

### Prohibiting Certain Transactions With Respect to Iran

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 505 of the International Security and Development Cooperation Act of 1985 (22 U.S.C. 2349aa-9) (ISDCA), and section 301 of title 3, United States Code,

I, WILLIAM J. CLINTON, President of the United States of America, in order to take steps with respect to Iran in addition to those set forth in Executive Order No. 12957 of March 15, 1995, to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States referred to in that order, hereby order:

**Section 1.** The following are prohibited, except to the extent provided in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date of this order: (a) the importation into the United States, or the financing of such importation, of any goods or services of Iranian origin, other than Iranian-origin publications and materials imported for news publications or news broadcast dissemination;

(b) except to the extent provided in section 203(b) of IEEPA (50 U.S.C. 1702(b)), the exportation from the United States to Iran, the Government of Iran, or to any entity owned or controlled by the Government of Iran, or the financing of such exportation, of any goods, technology (including technical data or other information subject to the Export Administration Regulations, 15 CFR Parts 768–799 (1994) (the “EAR”)), or services;

(c) the reexportation to Iran, the Government of Iran, or to any entity owned or controlled by the Government of Iran, of any goods or technology (including technical data or other information) exported from the United States, the exportation of which to Iran is subject to export license application requirements under any United States regulations in effect immediately prior to the issuance of this order, unless, for goods, they have been (i) substantially transformed outside the United States, or (ii) incorporated into another product outside the United States and constitute less than 10 percent by value of that product exported from a third country;

(d) except to the extent provided in section 203(b) of IEEPA (50 U.S.C. 1702(b)), any transaction, including purchase, sale, transportation, swap, financing, or brokering transactions, by a United States person relating to goods or services of Iranian origin or owned or controlled by the Government of Iran;

(e) any new investment by a United States person in Iran or in property (including entities) owned or controlled by the Government of Iran;

(f) the approval or facilitation by a United States person of the entry into or performance by an entity owned or controlled by a United States person of a transaction or contract (i) prohibited as to United States persons by subsection (c), (d), or (e) above, or (ii) relating to the financing of activities prohibited as to United States persons by those subsections, or of a guaranty of another person's performance of such transaction or contract; and

(g) any transaction by any United States person or within the United States that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order.

**Sec. 2.** For the purposes of this order:

(a) the term "person" means an individual or entity;

(b) the term "entity" means a partnership, association, trust, joint venture, corporation, or other organization;

(c) the term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States (including foreign branches), or any person in the United States;

(d) the term "Iran" means the territory of Iran and any other territory or marine area, including the exclusive economic zone and continental shelf, over which the Government of Iran claims sovereignty, sovereign rights or jurisdiction, provided that the Government of Iran exercises partial or total *de facto* control over the area or derives a benefit from economic activity in the area pursuant to international arrangements; and

(e) the term "new investment" means (i) a commitment or contribution of funds or other assets, or (ii) a loan or other extension of credit.

**Sec. 3.** The Secretary of the Treasury, in consultation with the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, the requirement of reports, including reports by United States persons on oil transactions engaged in by their foreign affiliates with Iran or the Government of Iran, and to employ all powers granted to the President by IEEPA and ISDCA as may be necessary to carry out the purposes of this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out the provisions of this order.

**Sec. 4.** The Secretary of the Treasury may not authorize the exportation or reexportation to Iran, the Government of Iran, or an entity owned or controlled by the Government of Iran of any goods, technology, or services subject to export license application requirements of another agency of the United States Government, if authorization of the exportation or reexportation by that agency would be prohibited by law.

**Sec. 5.** Sections 1 and 2 of Executive Order No. 12613 of October 29, 1987, and sections 1 and 2 of Executive Order No. 12957 of March 15, 1995, are hereby revoked to the extent inconsistent with this order. Otherwise, the provisions of this order supplement the provisions of Executive Orders No. 12613 and 12957.

**Sec. 6.** Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

**Sec. 7.** The measures taken pursuant to this order are in response to actions of the Government of Iran occurring after the conclusion of the 1981 Algiers Accords, and are intended solely as a response to those later actions.

**Sec. 8.** (a) This order is effective at 12:01 a.m., eastern daylight time, on May 7, 1995, except that (i) section 1(b), (c), and (d) of this order shall not apply until 12:01 a.m., eastern daylight time, on June 6, 1995, to trade transactions under contracts in force as of the date of this order if such transactions are authorized pursuant to Federal regulations in force immediately prior to the date of this order ("existing trade contracts"), and (ii) letters of credit and other financing agreements with respect to existing trade contracts may be performed pursuant to their terms with respect to underlying trade transactions occurring prior to 12:01 a.m., eastern daylight time, on June 6, 1995.

(b) This order shall be transmitted to the Congress and published in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
May 6, 1995.

#### **Executive Order 12960 of May 12, 1995**

### **Amendments to the Manual for Courts-Martial, United States, 1984**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including chapter 47 of title 10, United States Code (Uniform Code of Military Justice, 10 U.S.C. 801-946), in order to prescribe amendments to the Manual for Courts-Martial, United States, 1984, prescribed by Executive Order No. 12473, as amended by Executive Order No. 12484, Executive Order No. 12550, Executive Order No. 12586, Executive Order No. 12708, Executive Order No. 12767, Executive Order No. 12888, and Executive Order No. 12936, it is hereby ordered as follows:

**Section 1.** Part I of the Manual for Courts-Martial, United States, 1984, is amended as follows:

Preamble, paragraph 4, is amended to read as follows:

"4. Structure and application of the Manual for Courts-Martial.

The Manual for Courts-Martial shall consist of this Preamble, the Rules for Courts-Martial, the Military Rules of Evidence, the Punitive Articles, and

the Nonjudicial Punishment Procedures (Parts I–V). The Manual shall be applied consistent with the purpose of military law.

The Manual shall be identified as “Manual for Courts-Martial, United States (19xx edition).” Any amendments to the Manual made by Executive Order shall be identified as “19xx Amendments to the Manual for Courts-Martial, United States.””

**Sec. 2.** Part II of the Manual for Courts-Martial, United States, 1984, is amended to read as follows:

a. R.C.M. 810(d) is amended to read as follows:

“(d) *Sentence limitations.*

(1) *In general.* Sentences at rehearings, new trials, or other trials shall be adjudged within the limitations set forth in R.C.M. 1003. Except as otherwise provided in subsection (d)(2) of this rule, offenses on which a rehearing, new trial, or other trial has been ordered shall not be the basis for an approved sentence in excess of or more severe than the sentence ultimately approved by the convening or higher authority following the previous trial or hearing, unless the sentence prescribed for the offense is mandatory. When a rehearing or sentencing is combined with trial on new charges, the maximum punishment that may be approved by the convening authority shall be the maximum punishment under R.C.M. 1003 for the offenses being reheard as limited above, plus the total maximum punishment under R.C.M. 1003 for any new charges of which the accused has been found guilty. In the case of an “other trial” no sentence limitations apply if the original trial was invalid because a summary or special court-martial improperly tried an offense involving a mandatory punishment or one otherwise considered capital.

(2) *Pretrial agreement.* If, after the earlier court-martial, the sentence was approved in accordance with a pretrial agreement and at the rehearing the accused fails to comply with the pretrial agreement, by failing to enter a plea of guilty or otherwise, the approved sentence resulting at a rehearing of the affected charges and specifications may include any otherwise lawful punishment not in excess of or more serious than lawfully adjudged at the earlier court-martial.”

b. R.C.M. 924(a) is amended to read as follows:

“(a) *Time for reconsideration.* Members may reconsider any finding reached by them before such finding is announced in open session.”

c. R.C.M. 924(c) is amended to read as follows:

“(c) *Military judge sitting alone.* In a trial by military judge alone, the military judge may reconsider any finding of guilty at any time before announcement of sentence and may reconsider the issue of the finding of guilty of the elements in a finding of not guilty only by reason of lack of mental responsibility at any time before announcement of sentence or authentication of the record of trial in the case of a complete acquittal.”

d. R.C.M. 1003(b)(9) and the accompanying discussion are deleted.

e. R.C.M. 1003(b)(10), (11), and (12) are redesignated as subsections (9), (10), and (11), respectively.

f. R.C.M. 1009 is amended to read as follows:



“(a) *Reconsideration.* Subject to this rule, a sentence may be reconsidered at any time before such sentence is announced in open session of the court.

(b) *Exceptions.*

(1) If the sentence announced in open session was less than the mandatory minimum prescribed for an offense of which the accused has been found guilty, the court that announced the sentence may reconsider such sentence after it has been announced, and may increase the sentence upon reconsideration in accordance with subsection (e) of this rule.

(2) If the sentence announced in open session exceeds the maximum permissible punishment for the offense or the jurisdictional limitation of the court-martial, the sentence may be reconsidered after announcement in accordance with subsection (e) of this rule.

(c) *Clarification of sentence.* A sentence may be clarified at any time prior to action of the convening authority on the case.

(1) *Sentence adjudged by the military judge.* When a sentence adjudged by the military judge is ambiguous, the military judge shall call a session for clarification as soon as practical after the ambiguity is discovered.

(2) *Sentence adjudged by members.* When a sentence adjudged by members is ambiguous, the military judge shall bring the matter to the attention of the members if the matter is discovered before the court-martial is adjourned. If the matter is discovered after adjournment, the military judge may call a session for clarification by the members who adjudged the sentence as soon as practical after the ambiguity is discovered.

(d) *Action by the convening authority.* When a sentence adjudged by the court-martial is ambiguous, the convening authority may return the matter to the court-martial for clarification. When a sentence adjudged by the court-martial is apparently illegal, the convening authority may return the matter to the court-martial for reconsideration or may approve a sentence no more severe than the legal, unambiguous portions of the adjudged sentence.

(e) *Reconsideration procedure.* Any member of the court-martial may propose that a sentence reached by the members be reconsidered.

(1) *Instructions.* When a sentence has been reached by members and reconsideration has been initiated, the military judge shall instruct the members on the procedure for reconsideration.

(2) *Voting.* The members shall vote by secret written ballot in closed session whether to reconsider a sentence already reached by them.

(3) *Number of votes required.*

(A) *With a view to increasing.* Subject to subsection (b) of this rule, members may reconsider a sentence with a view of increasing it only if at least a majority of the members vote for reconsideration.

(B) *With a view to decreasing.* Members may reconsider a sentence with a view to decreasing it only if:

(i) In the case of a sentence which includes death, at least one member votes to reconsider;

(ii) In the case of a sentence which includes confinement for life or more than 10 years, more than one-fourth of the members vote to reconsider; or

(iii) In the case of any other sentence, more than one-third of the members vote to reconsider.

(4) *Successful vote.* If a vote to reconsider a sentence succeeds, the procedures in R.C.M. 1006 shall apply."

g. R.C.M. 1103(b)(3)(L) is deleted.

h. R.C.M. 1103(b)(3)(M) and (N) are redesignated as subsections (L) and (M), respectively.

i. R.C.M. 1103(c)(2) is amended to read as follows:

"(2) *Not involving a bad-conduct discharge.* If the special court-martial resulted in findings of guilty but a bad-conduct discharge was not adjudged, the requirements of subsections (b)(1), (b)(2)(D), and (b)(3)(A)—(F) and (I)—(M) of this rule shall apply."

j. R.C.M. 1104(b)(2) is amended to read as follows:

"(2) *Summary courts-martial.* The summary court-martial record of trial shall be disposed of as provided in R.C.M. 1305(d). Subsection (b)(1)(D) of this rule shall apply if classified information is included in the record of trial of a summary court-martial."

k. R.C.M. 1106(d)(3) is amended by adding a new subsection (B) as follows:

"(B) A recommendation for clemency by the sentencing authority, made in conjunction with the announced sentence;"

l. R.C.M. 1106(d)(3)(B)—(E) are redesignated as subsections (C)—(F), respectively.

m. R.C.M. 1107(d) is amended by adding a new subparagraph (3) as follows:

"(3) *Postponing service of a sentence to confinement.*

(A) In a case in which a court-martial sentences an accused referred to in subsection (B), below, to confinement, the convening authority may postpone service of a sentence to confinement by a court-martial, without the consent of the accused, until after the accused has been permanently released to the armed forces by a state or foreign country.

(B) Subsection (A) applies to an accused who, while in custody of a state or foreign country, is temporarily returned by that state or foreign country to the armed forces for trial by court-martial; and after the court-martial, is returned to that state or foreign country under the authority of a mutual agreement or treaty, as the case may be.

(C) As used in subsection (d)(3), the term "state" means a state of the United States, the District of Columbia, a territory, and a possession of the United States."

n. R.C.M. 1107(d)(3) is redesignated as R.C.M. 1107(d)(4).

o. R.C.M. 1107(e)(1)(C)(iii) is amended to read as follows:

"(iii) *Rehearing on sentence only.* A rehearing on sentence only shall not be referred to a different kind of court-martial from that which made the original findings. If the convening authority determines a rehearing on sen-

tence is impracticable, the convening authority may approve a sentence of no punishment without conducting a rehearing.”

p. R.C.M. 1107(f)(2) is amended to read as follows:

“(2) *Modification of initial action.* The convening authority may recall and modify any action taken by that convening authority at any time before it has been published or before the accused has been officially notified. The convening authority also may recall and modify any action at any time prior to forwarding the record for review, as long as the modification does not result in action less favorable to the accused than the earlier action. In addition, in any special court-martial, the convening authority may recall and correct an illegal, erroneous, incomplete, or ambiguous action at any time before completion of review under R.C.M. 1112, as long as the correction does not result in action less favorable to the accused than the earlier action. When so directed by a higher reviewing authority or the Judge Advocate General, the convening authority shall modify any incomplete, ambiguous, void, or inaccurate action noted in review of the record of trial under Article 64, 66, 67, or examination of the record of trial under Article 69. The convening authority shall personally sign any supplementary or corrective action.”

q. R.C.M. 1108(b) is amended to read as follows:

“(b) *Who may suspend and remit.* The convening authority may, after approving the sentence, suspend the execution of all or any part of the sentence of a court-martial except for a sentence of death. The general court-martial convening authority over the accused at the time of the court-martial may, when taking the action under R.C.M. 1112(f), suspend or remit any part of the sentence. The Secretary concerned and, when designated by the Secretary concerned, any Under Secretary, Assistant Secretary, Judge Advocate General, or commanding officer may suspend or remit any part or amount of the unexecuted part of any sentence other than a sentence approved by the President. The commander of the accused who has the authority to convene a court-martial of the kind which adjudged the sentence may suspend or remit any part or amount of the unexecuted part of any sentence by summary court-martial or of any sentence by special court-martial which does not include a bad-conduct discharge regardless of whether the person acting has previously approved the sentence. The “unexecuted part of any sentence” includes that part which has been approved and ordered executed but which has not actually been carried out.”

r. R.C.M. 1113(d)(2)(A) is amended by adding a new subparagraph (iii) as follows:

“(iii) Periods during which the accused is in custody of civilian or foreign authorities after the convening authority, pursuant to Article 57(e), has postponed the service of a sentence to confinement;”

s. R.C.M. 1113(d)(2)(A)(iii)—(iv) are redesignated 1113(d)(A)(iv)—(v), respectively.

t. R.C.M. 1113(d)(5) is deleted.

u. R.C.M. 1113(d)(6) is redesignated as subsection (5).

v. R.C.M. 1201(b)(3)(A) is amended to read as follows:

“(A) *In general.* Notwithstanding R.C.M. 1209, the Judge Advocate General may, sua sponte or, except when the accused has waived or withdrawn the right to appellate review under R.C.M. 1110, upon application of the

accused or a person with authority to act for the accused, vacate or modify, in whole or in part, the findings, sentence, or both of a court-martial that has been finally reviewed, but has not been reviewed either by a Court of Military Review or by the Judge Advocate General under subsection (b)(1) of this rule, on the ground of newly discovered evidence, fraud on the court-martial, lack of jurisdiction over the accused or the offense, error prejudicial to the substantial rights of the accused, or the appropriateness of the sentence."

w. R.C.M. 1305(d) is deleted.

x. R.C.M. 1305(e) is redesignated as subsection (d).

**Sec. 3. Part III of the Manual for Courts-Martial, United States, 1984, is amended as follows:**

a. M.R.E. 311(g)(2) is amended to read as follows:

"(2) *False statements.* If the defense makes a substantial preliminary showing that a government agent included a false statement knowingly and intentionally or with reckless disregard for the truth in the information presented to the authorizing officer, and if the allegedly false statement is necessary to the finding of probable cause, the defense, upon request, shall be entitled to a hearing. At the hearing, the defense has the burden of establishing by a preponderance of the evidence the allegation of knowing and intentional falsity or reckless disregard for the truth. If the defense meets its burden, the prosecution has the burden of proving by a preponderance of the evidence, with the false information set aside, that the remaining information presented to the authorizing officer is sufficient to establish probable cause. If the prosecution does not meet its burden, the objection or motion shall be granted unless the search is otherwise lawful under these rules."

b. M.R.E. 506(e) and (f) are amended to read as follows:

"(e) *Pretrial session.* At any time after referral of charges and prior to arraignment, any party may move for a session under Article 39(a) to consider matters relating to government information that may arise in connection with the trial. Following such motion, or sua sponte, the military judge promptly shall hold a pretrial session under Article 39(a) to establish the timing of requests for discovery, the provision of notice under subsection (h), and the initiation of the procedure under subsection (i). In addition, the military judge may consider any other matters that relate to government information or that may promote a fair and expeditious trial.

(f) *Action after motion for disclosure of information.* After referral of charges, if the defense moves for disclosure of government information for which a claim of privilege has been made under this rule, the matter shall be reported to the convening authority. The convening authority may:

(1) institute action to obtain the information for use by the military judge in making a determination under subdivision (i);

(2) dismiss the charges;

(3) dismiss the charges or specifications or both to which the information relates; or

(4) take other action as may be required in the interests of justice.

If, after a reasonable period of time, the information is not provided to the military judge, the military judge shall dismiss the charges or specifications or both to which the information relates."

c. M.R.E. 506(h) is amended to read as follows:

"(h) *Prohibition against disclosure.* The accused may not disclose any information known or believed to be subject to a claim of privilege under this rule unless the military judge authorizes such disclosure."

d. M.R.E. 506(i) is amended to read as follows:

"(i) *In camera proceedings.*

(1) *Definition.* For purposes of this subsection, an "in camera proceeding" is a session under Article 39(a) from which the public is excluded.

(2) *Motion for in camera proceeding.* Within the time specified by the military judge for the filing of a motion under this rule, the Government may move for an in camera proceeding concerning the use at any proceeding of any government information that may be subject to a claim of privilege. Thereafter, either prior to or during trial, the military judge for good cause shown or otherwise upon a claim of privilege may grant the Government leave to move for an in camera proceeding concerning the use of additional government information.

(3) *Demonstration of public interest nature of the information.* In order to obtain an in camera proceeding under this rule, the Government shall demonstrate, through the submission of affidavits and information for examination only by the military judge, that disclosure of the information reasonably could be expected to cause identifiable damage to the public interest.

(4) *In camera proceeding.*

(A) *Finding of identifiable damage.* Upon finding that the disclosure of some or all of the information submitted by the Government under subsection (i)(3) reasonably could be expected to cause identifiable damage to the public interest, the military judge shall conduct an in camera proceeding.

(B) *Disclosure of the information to the defense.* Subject to subsection (F), below, the Government shall disclose government information for which a claim of privilege has been made to the accused, for the limited purpose of litigating, in camera, the admissibility of the information at trial. The military judge shall enter an appropriate protective order to the accused and all other appropriate trial participants concerning the disclosure of the information according to subsection (g), above. The accused shall not disclose any information provided under this subsection unless, and until, such information has been admitted into evidence by the military judge. In the in camera proceeding, both parties shall have the opportunity to brief and argue the admissibility of the government information at trial.

(C) *Standard.* Government information is subject to disclosure at the court-martial proceeding under this subsection if the party making the request demonstrates a specific need for information containing evidence that is relevant to the guilt or innocence or to punishment of the accused, and is otherwise admissible in the court-martial proceeding.

(D) *Ruling.* No information may be disclosed at the court-martial proceeding or otherwise unless the military judge makes a written determina-

tion that the information is subject to disclosure under the standard set forth in subsection (C), above. The military judge will specify in writing any information that he or she determines is subject to disclosure. The record of the in camera proceeding shall be sealed and attached to the record of trial as an appellate exhibit. The accused may seek reconsideration of the determination prior to or during trial.

(E) *Alternatives to full disclosure.* If the military judge makes a determination under this subsection that the information is subject to disclosure, or if the Government elects not to contest the relevance, necessity, and admissibility of the government information, the Government may proffer a statement admitting for purposes of the court-martial any relevant facts such information would tend to prove or may submit a portion or summary to be used in lieu of the information. The military judge shall order that such statement, portion, summary, or some other form of information which the military judge finds to be consistent with the interests of justice, be used by the accused in place of the government information, unless the military judge finds that use of the government information itself is necessary to afford the accused a fair trial.

(F) *Sanctions.* Government information may not be disclosed over the Government's objection. If the Government continues to object to disclosure of the information following rulings by the military judge, the military judge shall issue any order that the interests of justice require. Such an order may include:

- (i) striking or precluding all or part of the testimony of a witness;
- (ii) declaring a mistrial;
- (iii) finding against the Government on any issue as to which the evidence is relevant and necessary to the defense;
- (iv) dismissing the charges, with or without prejudice; or
- (v) dismissing the charges or specifications or both to which the information relates."

e. A new M.R.E. 506(j) is added as follows:

"(j) *Appeals of orders and rulings.* In a court-martial in which a punitive discharge may be adjudged, the Government may appeal an order or ruling of the military judge that terminates the proceedings with respect to a charge or specification, directs the disclosure of government information, or imposes sanctions for nondisclosure of government information. The Government also may appeal an order or ruling in which the military judge refuses to issue a protective order sought by the United States to prevent the disclosure of government information, or to enforce such an order previously issued by appropriate authority. The Government may not appeal an order or ruling that is, or amounts to, a finding of not guilty with respect to the charge or specification."

f. M.R.E. 506(j) and (k) are redesignated as (k) and (l), respectively.

**Sec. 4.** Part IV of the Manual for Courts-Martial, United States, 1984, is amended to read as follows:

a. Paragraph 4.c. is amended by adding a new subparagraph (4) as follows:

"(4) *Voluntary abandonment.* It is a defense to an attempt offense that the person voluntarily and completely abandoned the intended crime, sole-

ly because of the person's own sense that it was wrong, prior to the completion of the crime. The voluntary abandonment defense is not allowed if the abandonment results, in whole or in part, from other reasons, such as, the person feared detection or apprehension, decided to await a better opportunity for success, was unable to complete the crime, or encountered unanticipated difficulties or unexpected resistance. A person who is entitled to the defense of voluntary abandonment may nonetheless be guilty of a lesser included, completed offense. For example, a person who voluntarily abandoned an attempted armed robbery may nonetheless be guilty of assault with a dangerous weapon."

b. Paragraph 4.c.(4), (5), and (6) are redesignated as subparagraphs (5), (6) and (7), respectively.

c. Paragraph 30a.c(1), is amended to read as follows:

"(1) *Intent*. "Intent or reason to believe" that the information "is to be used to the injury of the United States or to the advantage of a foreign nation" means that the accused acted in bad faith and [delete "or otherwise"] without lawful authority with respect to information that is not lawfully accessible to the public."

d. Paragraph 35 is amended to read as follows:

"35. Article 111—Drunken or reckless operation of a vehicle, aircraft, or vessel

a. *Text*.

"Any person subject to this chapter who—

(1) operates or physically controls any vehicle, aircraft, or vessel in a reckless or wanton manner or while impaired by a substance described in section 912a(b) of this title (Article 112a(b)), or

(2) operates or is in actual physical control of any vehicle, aircraft, or vessel while drunk or when the alcohol concentration in the person's blood or breath is 0.10 grams of alcohol per 100 milliliters of blood or 0.10 grams of alcohol per 210 liters of breath, as shown by chemical analysis, shall be punished as a court-martial may direct."

b. *Elements*.

(1) That the accused was operating or in physical control of a vehicle, aircraft, or vessel; and

(2) That while operating or in physical control of a vehicle, aircraft, or vessel, the accused:

(a) did so in a wanton or reckless manner, or

(b) was drunk or impaired, or

(c) the alcohol concentration in the accused's blood or breath was 0.10 grams of alcohol per 100 milliliters of blood or 0.10 grams of alcohol per 210 liters of breath, or greater, as shown by chemical analysis.

[Note: If injury resulted add the following element]

(3) That the accused thereby caused the vehicle, aircraft, or vessel to injure a person.

c. *Explanation*.

(1) *Vehicle*. See 1 U.S.C. § 4.

(2) *Vessel*. See 1 U.S.C. § 3.

(3) *Aircraft*. Any contrivance used or designed for transportation in the air.

(4) *Operates*. Operating a vehicle, aircraft, or vessel includes not only driving or guiding a vehicle, aircraft, or vessel while it is in motion, either in person or through the agency of another, but also setting of its motive power in action or the manipulation of its controls so as to cause the particular vehicle, aircraft, or vessel to move.

(5) *Physical control and actual physical control*. These terms as used in the statute are synonymous. They describe the present capability and power to dominate, direct, or regulate the vehicle, vessel, or aircraft, either in person or through the agency of another, regardless of whether such vehicle, aircraft, or vessel is operated. For example, the intoxicated person seated behind the steering wheel of a vehicle with the keys of the vehicle in or near the ignition but with the engine not turned on could be deemed in actual physical control of that vehicle. However, the person asleep in the back seat with the keys in his or her pocket would not be deemed in actual physical control. Physical control necessarily encompasses operation.

(6) *Drunk or impaired*. "Drunk" and "impaired" mean any intoxication which is sufficient to impair the rational and full exercise of the mental or physical faculties. The term "drunk" is used in relation to intoxication by alcohol. The term "impaired" is used in relation to intoxication by a substance described in Article 112(a), Uniform Code of Military Justice.

(7) *Reckless*. The operation or physical control of a vehicle, vessel, or aircraft is "reckless" when it exhibits a culpable disregard of foreseeable consequences to others from the act or omission involved. Recklessness is not determined solely by reason of the happening of an injury, or the invasion of the rights of another, nor by proof alone of excessive speed or erratic operation, but all these factors may be admissible and relevant as bearing upon the ultimate question: whether, under all the circumstances, the accused's manner of operation or physical control of the vehicle, vessel, or aircraft was of that heedless nature which made it actually or imminently dangerous to the occupants, or to the rights or safety of others. It is operating or physically controlling a vehicle, vessel, or aircraft with such a high degree of negligence that if death were caused, the accused would have committed involuntary manslaughter, at least. The nature of the conditions in which the vehicle, vessel, or aircraft is operated or controlled, the time of day or night, the proximity and number of other vehicles, vessels, or aircraft, and the condition of the vehicle, vessel, or aircraft, are often matters of importance in the proof of an offense charged under this article and, where they are of importance, may properly be alleged.

(8) *Wanton*. "Wanton" includes "reckless", but in describing the operation or physical control of a vehicle, vessel, or aircraft, "wanton" may, in a proper case, connote willfulness, or a disregard of probable consequences, and thus describe a more aggravated offense.

(9) *Causation*. The accused's drunken or reckless driving must be a proximate cause of injury for the accused to be guilty of drunken or reckless driving resulting in personal injury. To be proximate, the accused's ac-



tions need not be the sole cause of the injury, nor must they be the immediate cause of the injury; that is, the latest in time and space preceding the injury. A contributing cause is deemed proximate only if it plays a material role in the victim's injury.

(10) *Separate offenses.* While the same course of conduct may constitute violations of both subsections (1) and (2) of the Article, (e.g., both drunken and reckless operation or physical control), this article proscribes the conduct described in both subsections as separate offenses, which may be charged separately. However, as recklessness is a relative matter, evidence of all the surrounding circumstances that made the operation dangerous, whether alleged or not, may be admissible. Thus, on a charge of reckless driving, for example, evidence of drunkenness might be admissible as establishing one aspect of the recklessness, and evidence that the vehicle exceeded a safe speed, at a relevant prior point and time, might be admissible as corroborating other evidence of the specific recklessness charged. Similarly, on a charge of drunken driving, relevant evidence of recklessness might have probative value as corroborating other proof of drunkenness.

*d. Lesser included offense.*

(1) Reckless or wanton or impaired operation or physical control of a vessel. Article 110—improper hazarding of a vessel.

(2) Drunken operation of a vehicle, vessel, or aircraft while drunk or with a blood or breath alcohol concentration in violation of the described per se standard.

(a) Article 110—improper hazarding of a vessel

(b) Article 112—drunk on duty

(c) Article 134—drunk on station

*e. Maximum punishment.*

(1) *Resulting in personal injury.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 18 months.

(2) *No personal injury involved.* Bad-conduct discharge, forfeiture of all pay and allowances, and confinement for 6 months.

*f. Sample specification.*

In that \_\_\_\_\_ (personal jurisdiction data), did (at/on-board—location) (subject-matter jurisdiction data, if required), on or about \_\_\_\_\_ 19\_\_\_\_\_, (in the motor pool area) (near the Officer's Club)(at the intersection of \_\_\_\_\_ and \_\_\_\_\_) (while in the Gulf of Mexico)(while in flight over North America) physically control [a vehicle, to wit: (a truck)(a passenger car) (\_\_\_\_\_) ] [an aircraft, to wit: (an AH-64 helicopter)(an F-14A fighter) (a KC-135 tanker) (\_\_\_\_\_) ] [a vessel, to wit: (the aircraft carrier USS \_\_\_\_\_) (the Coast Guard Cutter \_\_\_\_\_) (\_\_\_\_\_) ], [while drunk] [while impaired by \_\_\_\_\_] [while the alcohol concentration in his (blood was 0.10 grams of alcohol per 100 milliliters of blood or greater)(breath was 0.10 grams of alcohol per 210 liters of breath or greater) as shown by chemical analysis] [in a (reckless)(wanton) manner by (attempting to pass another vehicle on a sharp curve)(by ordering that the aircraft be flown below

the authorized altitude)] [and did thereby cause said (vehicle) (aircraft)(vessel) to (strike and) (injure \_\_\_\_\_)].”

e. Paragraph 43.a.(3) is amended to read as follows:

“(3) is engaged in an act that is inherently dangerous to another and evinces a wanton disregard of human life; or”

f. Paragraph 43.b.(3)(c) is amended to read as follows:

“(c) That this act was inherently dangerous to another and showed a wanton disregard for human life;”

g. Paragraph 43.c.(4)(a) is amended to read as follows:

“(a) *Wanton disregard for human life.* Intentionally engaging in an act inherently dangerous to another—although without an intent to cause the death of or great bodily harm to any particular person, or even with a wish that death will not be caused—may also constitute murder if the act shows wanton disregard of human life. Such disregard is characterized by heedlessness of the probable consequences of the act or omission, or indifference to the likelihood of death or great bodily harm. Examples include throwing a live grenade toward another or others in jest or flying an aircraft very low over one or more persons to cause alarm.”

h. Paragraph 45.a.(a) is amended to read as follows:

“(a) Any person subject to this chapter who commits an act of sexual intercourse by force and without consent, is guilty of rape and shall be punished by death or such other punishment as a court-martial may direct.”

i. Paragraph 45.b.(1) is amended to read as follows:

“(a) That the accused committed an act of sexual intercourse; and

(b) That the act of sexual intercourse was done by force and without consent.”

j. Paragraph 45.c.(1)(a) and (b) are amended as follows:

“(a) *Nature of offense.* Rape is sexual intercourse by a person, executed by force and without consent of the victim. It may be committed on a victim of any age. Any penetration, however slight, is sufficient to complete the offense.

(b) *Force and lack of consent.* Force and lack of consent are necessary to the offense. Thus, if the victim consents to the act, it is not rape. The lack of consent required, however, is more than mere lack of acquiescence. If a victim in possession of his or her mental faculties fails to make lack of consent reasonably manifest by taking such measures of resistance as are called for by the circumstances, the inference may be drawn that the victim did consent. Consent, however, may not be inferred if resistance would have been futile, where resistance is overcome by threats of death or great bodily harm, or where the victim is unable to resist because of the lack of mental or physical faculties. In such a case there is no consent and the force involved in penetration will suffice. All the surrounding circumstances are to be considered in determining whether a victim gave consent, or whether he or she failed or ceased to resist only because of a reasonable fear of death or grievous bodily harm. If there is actual consent, although obtained by fraud, the act is not rape, but if to the accused's knowledge the victim is of unsound mind or unconscious to an extent rendering him or her incapable of giving consent, the act is rape. Likewise,

the acquiescence of a child of such tender years that he or she is incapable of understanding the nature of the act is not consent.”

k. Paragraph 89.c. is amended to read as follows:

“(c) *Explanation.* “Indecent” language is that which is grossly offensive to modesty, decency, or propriety, or shocks the moral sense, because of its vulgar, filthy, or disgusting nature, or its tendency to incite lustful thought. Language is indecent if it tends reasonably to corrupt morals or incite libidinous thoughts. The language must violate community standards. See paragraph 87 if the communication was made in the physical presence of a child.”

l. The following new paragraph is added after paragraph 103:

“103a. Article 134 (Self-injury without intent to avoid service)

a. *Text.* See paragraph 60.

b. *Elements.*

(1) That the accused intentionally inflicted injury upon himself or herself;

(2) That, under the circumstances, the conduct of the accused was to the prejudice of good order and discipline in the armed forces or was of a nature to bring discredit upon the armed forces.

[Note: If the offense was committed in time of war or in a hostile fire pay zone, add the following element]

(3) That the offense was committed (in time of war) (in a hostile fire pay zone).

c. *Explanation.*

(1) *Nature of offense.* This offense differs from malingering (see paragraph 40) in that for this offense, the accused need not have harbored a design to avoid performance of any work, duty, or service which may properly or normally be expected of one in the military service. This offense is characterized by intentional self-injury under such circumstances as prejudice good order and discipline or discredit the armed forces. It is not required that the accused be unable to perform duties, or that the accused actually be absent from his or her place of duty as a result of the injury. For example, the accused may inflict the injury while on leave or pass. The circumstances and extent of injury, however, are relevant to a determination that the accused's conduct was prejudicial to good order and discipline, or service-discrediting.

(2) *How injury inflicted.* The injury may be inflicted by nonviolent as well as by violent means and may be accomplished by any act or omission that produces, prolongs, or aggravates a sickness or disability. Thus, voluntary starvation that results in a debility is a self-inflicted injury. Similarly, the injury may be inflicted by another at the accused's request.

d. *Lesser included offense.* Article 80—attempts

e. *Maximum punishment.*

(1) *Intentional self-inflicted injury.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 2 years.

(2) *Intentional self-inflicted injury in time of war or in a hostile fire pay zone.* Dishonorable discharge, forfeiture of all pay and allowances, and confinement for 5 years.

*f. Sample specification.*

In that \_\_\_\_\_ (personal jurisdiction data), did, (at/on board—location) (in a hostile fire pay zone) on or about \_\_\_\_\_ 19—, (a time of war,) intentionally injure himself/herself by \_\_\_\_\_ (nature and circumstances of injury).”

**Sec. 5.** These amendments shall take effect on June 10, 1995, subject to the following:

- a. Nothing in these amendments shall be construed to make punishable any act done or omitted prior to June 10, 1995.
- b. The maximum punishment for an offense committed prior to June 10, 1995, shall not exceed the applicable maximum in effect at the time of the commission of such offense.
- c. Nothing in these amendments shall be construed to invalidate any nonjudicial punishment proceeding, restraint, investigation, referral of charges, trial in which arraignment occurred, or other action begun prior to June 10, 1995, and any such nonjudicial punishment, restraint, investigation, referral of charges, trial, or other action may proceed in the same manner and with the same effect as if these amendments had not been prescribed.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
May 12, 1995.

**Changes to the Analysis accompanying the Manual for Courts-Martial, United States, 1984.**

1. Changes to Appendix 21, the Analysis accompanying the Rules for Courts-Martial (Part II, MCM, 1984).

a. R.C.M. 203. The Analysis accompanying R.C.M. 203 is amended by inserting the following at the end thereof:

“1995 Amendment: The discussion was amended in light of *Solorio v. United States*, 483 U.S. 435 (1987). *O’Callahan v. Parker*, 395 U.S. 258 (1969), held that an offense under the code could not be tried by court-martial unless the offense was “service connected.” *Solorio* overruled *O’Callahan*.”

b. R.C.M. 307. The Analysis accompanying R.C.M. 307 is amended by inserting the following at the end thereof:

“1995 Amendment: The discussion was amended in conformance with a concurrent change to R.C.M. 203, in light of *Solorio v. United States*, 483 U.S. 435 (1987). *O’Callahan v. Parker*, 395 U.S. 258 (1969), held that an offense under the code could not be tried by court-martial unless the offense was “service connected.” *Solorio* overruled *O’Callahan*.”

c. R.C.M. 810. The Analysis accompanying R.C.M. 810 is amended by inserting the following at the end thereof:

*"1995 Amendment:* Subsection (d) was amended in light of the change to Article 63 effected by the National Defense Authorization Act for Fiscal Year 1993, Pub. L. No. 102-484, 106 Stat. 2315, 2506 (1992). The amendment reflects that subsection (d) sentencing limitations only affect the sentence that may be approved by the convening or higher authority following the rehearing, new trial or other trial. Subsection (d) does not limit the maximum sentence that may be adjudged at the rehearing, new trial, or other trial."

d. R.C.M. 924. The Analysis accompanying R.C.M. 924 is amended by inserting the following at the end thereof:

*"1995 Amendment:* The amendment limits reconsideration of findings by the members to findings reached in closed session but not yet announced in open court and provides for the military judge, in judge alone cases, to reconsider the "guilty finding" of a not guilty only by reason of lack of mental responsibility finding."

e. R.C.M. 1003(b). The Analysis accompanying R.C.M. 1003(b) is amended by inserting the following:

*"1995 Amendment:* Punishment of confinement on bread and water or diminished rations [R.C.M. 1003(d)(9)], as a punishment imposable by a court-martial, was deleted. Confinement on bread and water or diminished rations was originally intended as an immediate, remedial punishment. While this is still the case with nonjudicial punishment (Article 15), it is not effective as a court-martial punishment. Subsections (d)(10) through (d)(12) were redesignated (d)(9) through (d)(11), respectively."

f. R.C.M. 1009. The Analysis accompanying R.C.M. 1009 is amended by inserting the following at the end thereof:

*"1995 Amendment:* This rule was changed to prevent a sentencing authority from reconsidering a sentence announced in open session. Subsection (b) was amended to allow reconsideration if the sentence was less than the mandatory maximum prescribed for the offense or the sentence exceeds the maximum permissible punishment for the offense or the jurisdictional limitation of the court-martial. Subsection (c) is new and provides for the military judge to clarify an announced sentence that is ambiguous. Subsection (d) provides for the convening authority to exercise discretionary authority to return an ambiguous sentence for clarification, or take action consistent with R.C.M. 1107."

g. R.C.M. 1103. The Analysis accompanying R.C.M. 1103 is amended by inserting the following at the end thereof:

*"1995 Amendment:* Punishment of confinement on bread and water or diminished rations [R.C.M. 1003(d)(9)], as a punishment imposable by a court-martial, was deleted. Consequently, the requirement to attach a Medical Certificate to the record of trial [R.C.M. 1103(b)(3)(L)] was deleted. Subsections (3)(M) and (3)(N) were redesignated (3)(L) and (3)(M), respectively."

h. R.C.M. 1105(b)(4). The Analysis accompanying R.C.M. 1105(b) is amended to read as follows:

*"1995 Amendment:* The Discussion accompanying subsection (b)(4) was amended to reflect the new requirement, under R.C.M. 1106(d)(3)(B), that the staff judge advocate or legal advisor inform the convening authority of a recommendation for clemency by the sentencing authority, made in conjunction with the announced sentence."

i. R.C.M. 1106(d)(3). The Analysis accompanying R.C.M. 1106(d) is amended to read as follows:

**"1995 Amendment:** Subsection (d)(3)(B) is new. It requires that the staff judge advocate's or legal advisor's recommendation inform the convening authority of any clemency recommendation made by the sentencing authority in conjunction with the announced sentence, absent a written request by the defense to the contrary. Prior to this amendment, an accused was responsible for informing the convening authority of any such recommendation. The amendment recognizes that any clemency recommendation is so closely related to the sentence that staff judge advocates and legal advisors should be responsible for informing convening authorities of it. The accused remains responsible for informing the convening authority of other recommendations for clemency, including those made by the military judge in a trial with member sentencing and those made by individual members. See *United States v. Clear*, 34 M.J. 129 (C.M.A. 1992); R.C.M. 1105(b)(4). Subsections (d)(3)(B)—(d)(3)(E) are redesignated as (d)(3)(C)—(d)(3)(F), respectively."

j. R.C.M. 1107(d). The Analysis accompanying R.C.M. 1107(d) is amended to read as follows:

**"1995 Amendment:** Subsection (d)(3) is new. It is based on the recently enacted Article 57(e). National Defense Authorization Act for Fiscal Year 1993, Pub. L. No. 102-484, 106 Stat. 2315, 2505 (1992). See generally *Interstate Agreement on Detainers Act*, 18 U.S.C. App. III. It permits a military sentence to be served consecutively, rather than concurrently, with a civilian or foreign sentence. The prior subsection (d)(3) is redesignated (d)(4)."

k. R.C.M. 1107(d)(2). The Analysis accompanying R.C.M. 1107(d)(2) is amended to read as follows:

**"1995 Amendment:** The last sentence in the Discussion accompanying subsection (d)(2) is new. It clarifies that forfeitures adjudged at courts-martial take precedence over all debts owed by the accused. Department of Defense Military Pay and Allowances Entitlement Manual, Volume 7, Part A, paragraph 70507a (12 December 1994)."

l. R.C.M. 1107(e)(1)(C)(iii). The Analysis accompanying R.C.M. 1107(e)(1) is amended to read as follows:

**"1995 Amendment:** The second sentence in R.C.M. 1107(e)(1)(C)(iii) is new. It expressly recognizes that the convening authority may approve a sentence of no punishment if the convening authority determines that a rehearing on sentence is impracticable. This authority has been recognized by the appellate courts. See e.g., *United States v. Monetesinos*, 28 M.J. 38 (C.M.A. 1989); *United States v. Sala*, 30 M.J. 813 (A.C.M.R. 1990)."

m. R.C.M. 1107(f)(2). The Analysis accompanying R.C.M. 1107(f)(2) is amended by inserting the following at its end:

**"1995 Amendment:** The amendment allows a convening authority to recall and modify any action after it has been published or after an accused has been officially notified, but before a record has been forwarded for review, as long as the new action is not less favorable to the accused than the prior action. A convening authority is not limited to taking only corrective action, but may also modify the approved findings or sentence provided the modification is not less favorable to the accused than the earlier action."

n. R.C.M. 1113(d)(2)(A). The Analysis accompanying R.C.M. 1113(d)(2)(A) is amended by inserting the following at the end thereof:

*“1995 Amendment: Subsection (d)(2)(A)(iii) is new. It is based on the recently enacted Article 57(e). National Defense Authorization Act for Fiscal Year 1993, Pub. L. No. 102-484, 106 Stat. 2315, 2505 (1992). See generally Interstate Agreement on Detainers Act, 18 U.S.C. App. III. It permits a military sentence to be served consecutively, rather than concurrently, with a civilian or foreign sentence. The prior subsections (d)(2)(A)(iii)—(iv) are redesignated (d)(2)(A)(iv)—(v), respectively.”*

o. R.C.M. 1113(d)(5). The Analysis accompanying R.C.M. 1113(d)(5) is amended by inserting the following at the end thereof:

*“1995 Amendment: Subsection (5) was deleted when the punishment of confinement on bread and water or diminished rations [R.C.M. 1113(d)(9)], as a punishment impossible by a court-martial, was deleted. Subsection (6) was redesignated (5).”*

p. R.C.M. 1201(b)(1). The Analysis accompanying R.C.M. 1201(b)(1) is amended to read as follows:

*“1995 Amendment: The Discussion accompanying subsection (1) was amended to conform with the language of Article 69(a), as enacted by the Military Justice Amendments of 1989, tit. XIII, sec. 1302(a)(2), National Defense Authorization Act for Fiscal Years 1990 and 1991, Pub. L. No. 101-189, 103 Stat. 1352, 1576 (1989).”*

2. Changes to Appendix 21, the Analysis accompanying the Punitive Articles (Part IV, MCM, 1984).

a. Paragraph 4c. The Analysis accompanying paragraph 4c is amended to read as follows:

*“1995 Amendment: Subparagraph (4) is new. It recognizes voluntary abandonment as an affirmative defense as established by the case law. See United States v. Byrd, 24 M.J. 286 (C.M.A. 1987). See also United States v. Schoof, 37 M.J. 96, 103-04 (C.M.A. 1993); United States v. Rios, 33 M.J. 436, 440-41 (C.M.A. 1991); United States v. Miller, 30 M.J. 999 (N.M.C.M.R. 1990); United States v. Walther, 30 M.J. 829, 829-33 (N.M.C.M.R. 1990). The prior subparagraphs (4)—(6) have been redesignated (5)—(7), respectively.”*

b. Paragraph 30a.c. The Analysis accompanying paragraph 30a.c., is amended as follows:

*“1995 Amendment: This subparagraph was amended to clarify that the intent element of espionage is not satisfied merely by proving that the accused acted without lawful authority. Article 106a, Uniform Code of Military Justice. The accused must have acted in bad faith. United States v. Richardson, 33 M.J. 127 (C.M.A. 1991); see Gorin v. United States, 312 U.S. 19, 21 n.1 (1941).”*

c. Paragraph 35. The Analysis accompanying paragraph 35 is amended to read as follows:

*“1995 Amendment: This paragraph was amended pursuant to the changes to Article 111 included in the National Defense Authorization Act for Fiscal Year 1993, Pub. L. No. 102-484, 106 Stat. 2315, 2506 (1992). New subparagraphs c(2) and (3) were added to include vessels and aircraft, respectively. Paragraph 35 was also amended to make punishable actual physical control of a vehicle, aircraft, or vessel while drunk or impaired,*

or in a reckless fashion, or while one's blood or breath alcohol concentration is in violation of the described per se standard. A new subparagraph c(5) was added to define the concept of actual physical control. This change allows drunk or impaired individuals who demonstrate the capability and power to operate a vehicle, aircraft, or vessel to be apprehended if in the vehicle, aircraft, or vessel, but not actually operating it at the time.

The amendment also clarifies that culpability extends to the person operating or exercising actual physical control through the agency of another (e.g., the captain of a ship giving orders to a helmsman). The amendment also provides a blood/alcohol blood/breath concentration of 0.10 or greater as a per se standard for illegal intoxication. The change will not, however, preclude prosecution where no chemical test is taken or even where the results of the chemical tests are below the statutory limits, where other evidence of intoxication is available. See *United States v. Gholson*, 319 F. Supp. 499 (E.D. Va. 1970).

A new paragraph c(9) was added to clarify that in order to show that the accused caused personal injury, the government must prove proximate causation and not merely cause-in-fact. Accord *United States v. Lingenfelter*, 30 M.J. 302 (C.M.A. 1990). The definition of "proximate cause" is based on *United States v. Romero*, 1 M.J. 227, 230 (C.M.A. 1975). Previous subparagraph c(2) is renumbered c(4). Previous subparagraphs c(3)–c(5) are renumbered c(6)–c(8), respectively, and previous subparagraph c(6) is renumbered c(10).

Subparagraphs d(1) and (2) are redesignated d(2)(b) and d(2)(c). The new d(2)(a) adds Article 110 (improper hazarding of a vessel) as a lesser included offense of drunken operation or actual physical control of a vessel. The new d(1) adds Article 110 (improper hazarding of a vessel) as a lesser included offense of reckless or wanton or impaired operation or physical control of a vessel."

d. Paragraph 43. The Analysis accompanying paragraph 43 is amended to read as follows:

"1995 Amendment: The word "others" was replaced by the word "another" in Article 118(3) pursuant to the National Defense Authorization Act for Fiscal Year 1993, Pub. L. No. 102-484, 106 Stat. 2315, 2506 (1992). This change addresses the limited language previously used in Article 118(3) as identified in *United States v. Berg*, 30 M.J. 195 (C.M.A. 1990)."

e. Paragraph 45. The Analysis accompanying paragraph 45 is amended to read as follows:

"1995 Amendment: The offense of rape was made gender neutral and the spousal exception was removed under Article 120(a). National Defense Authorization Act for Fiscal Year 1993, Pub. L. No. 102-484, 106 Stat. 2315, 2506 (1992).

Rape may "be punished by death" only if constitutionally permissible. In *Coker v. Georgia*, 322 U.S. 585 (1977), the Court held that the death penalty is "grossly disproportionate and excessive punishment for the rape of an adult woman," and is "therefore forbidden by the Eighth Amendment as cruel and unusual punishment." Id. at 592 (plurality opinion). *Coker*, however, leaves open the question of whether it is permissible to impose the death penalty for the rape of a minor by an adult. See *Coker*, 433 U.S. at 595. See *Leatherwood v. State*, 548 So.2d 389 (Miss. 1989) (death sen-



tence for rape of minor by an adult is not cruel and unusual punishment prohibited by the Eighth Amendment). *But see Buford v. State*, 403 So.2d 943 (Fla. 1981) (sentence of death is grossly disproportionate for sexual assault of a minor by an adult and consequently is forbidden by Eighth Amendment as cruel and unusual punishment)."

f. Paragraph 89. The Analysis accompanying paragraph 89c is amended to read as follows:

"1995 Amendment: The second sentence is new. It incorporates a test for "indecent language" adopted by the Court of Military Appeals in *United States v. French*, 31 M.J. 57, 60 (C.M.A. 1990). The term "tends reasonably" is substituted for the term "calculated to" to avoid the misinterpretation that indecent language is a specific intent offense."

g. Paragraph 103a. Insert the following after the Analysis of paragraph 103:

"103a. Article 134 (Self-injury without intent to avoid service)

c. *Explanation. 1995 Amendment.* This offense is based on paragraph 183a of MCM, U.S. Army, 1949; *United States v. Ramsey*, 35 M.J. 733 (A.C.M.R. 1992), *aff'd*, 40 M.J. 71 (C.M.A. 1994); *United States v. Taylor*, 38 C.M.R. 393 (C.M.A. 1968); *see generally* TJAGSA Practice Note, *Confusion About Malingering and Attempted Suicide*, The Army Lawyer, June 1992, at 38.

e. *Maximum punishment. 1995 Amendment.* The maximum punishment for subsection (1) reflects the serious effect that this offense may have on readiness and morale. The maximum punishment reflects the range of the effects of the injury, both in degree and duration, on the ability of the accused to perform work, duty, or service. The maximum punishment for subsection (1) is equivalent to that for offenses of desertion, missing movement through design, and certain violations of orders. The maximum punishment for subsection (2) is less than the maximum punishment for the offense of malingering under the same circumstances because of the absence of the specific intent to avoid work, duty, or service. The maximum punishment for subsection (2) is equivalent to that for nonaggravated offenses of desertion, willfully disobeying a superior commissioned officer, and nonaggravated malingering by intentional self-inflicted injury.

f. *Sample specification. 1995 Amendment.* See appendix 4, paragraph 177 of MCM, U.S. Army, 1949. Since incapacitation to perform duties is not an element of the offense, language relating to "unfitting himself for the full performance of military service" from the 1949 MCM has been omitted. The phrase "willfully injure" has been changed to read "intentionally injure" to parallel the language contained in the malingering specification under Article 115."

3. Changes to Appendix 22, the Analysis accompanying the Military Rules of Evidence (Part III, MCM, 1984).

a. M.R.E. 311(g)(2). The Analysis accompanying M.R.E. 311(g)(2) is amended by inserting the following at the end thereof:

"1995 Amendment: Subsection (g)(2) was amended to clarify that in order for the defense to prevail on an objection or motion under this rule, it must establish, *inter alia*, that the falsity of the evidence was "knowing and intentional" or in reckless disregard for the truth. *Accord Franks v. Delaware*, 438 U.S. 154 (1978)."

b. M.R.E. 506(e). The Analysis accompanying M.R.E. 506(e) is amended by inserting the following at the end thereof:

*"1995 Amendment:* It is the intent of the Committee that if classified information arises during a proceeding under Rule 506, the procedures of Rule 505 will be used.

The new subsection (e) was formerly subsection (f). The matters in the former subsection (f) were adopted without change. The former subsection (e) was amended and redesignated as subsection (f) (see below)."

c. M.R.E. 506(f). The Analysis accompanying M.R.E. 506(f) is amended by inserting the following at the end thereof:

*"1995 Amendment. See generally* Rule 505(f) and its accompanying Analysis. Note that unlike Rule 505(f), however, Rule 506(f) does not require a finding that failure to disclose the information in question "would materially prejudice a substantial right of the accused." Dismissal is not required when the relevant information is not disclosed in a "reasonable period of time."

Subsection (f) was formerly subsection (e). The subsection was amended to cover action after a defense motion for discovery, rather than action after referral of charges. The qualification that the government claim of privilege pertains to information "that apparently contains evidence that is relevant and necessary to an element of the offense or a legally cognizable defense and is otherwise admissible in evidence in a court-martial proceeding" was deleted as unnecessary. Action by the convening authority is required if, after referral, the defense moves for disclosure and the Government claims the information is privileged from disclosure."

d. M.R.E. 506(h). The Analysis accompanying M.R.E. 506(h) is amended by inserting the following at the end thereof:

*"1995 Amendment:* Subsection (h) was amended to provide that government information may not be disclosed by the accused unless authorized by the military judge."

e. M.R.E. 506(i). The Analysis accompanying M.R.E. 506(i) is amended by inserting the following at the end thereof:

*"1995 Amendment:* Subsection (i) was amended to clarify the procedure for in camera proceedings. The definition in subsection (i)(1) was amended to conform to the definition of in camera proceedings in M.R.E. 505(i)(1). Subsections (i)(2) and (i)(3) were unchanged. Subsection (i)(4)(B), redesignated as (i)(4)(C), was amended to include admissible evidence relevant to punishment of the accused, consistent with *Brady v. Maryland*, 373 U.S. 83, 87 (1963). Subsection (i)(4)(C) was redesignated as (i)(4)(D), but was otherwise unchanged. The amended procedures provide for full disclosure of the government information in question to the accused for purposes of litigating the admissibility of the information in the protected environment of the in camera proceeding; i.e., the Article 39(a) session is closed to the public and neither side may disclose the information outside the in camera proceeding until the military judge admits the information as evidence in the trial. Under subsection (i)(4)(E), the military judge may authorize alternatives to disclosure, consistent with a military judge's authority concerning classified information under M.R.E. 505. Subsection (i)(4)(F) allows the Government to determine whether the information ultimately will be disclosed to the accused. However, the Government's continued objection to

disclosure may be at the price of letting the accused go free, in that subsection (i)(4)(F) adopts the sanctions available to the military judge under M.R.E. 505(i)(4)(E). See *U.S. v. Reynolds*, 345 U.S. 1, 12 (1953)."

f. M.R.E. 506(j). The Analysis accompanying M.R.E. 506(j) is amended by inserting the following at the end thereof:

"1995 Amendment: Subsection (j) was added to recognize the Government's right to appeal certain rulings and orders. See R.C.M. 908. The former subsection (j) was redesignated as subsection (k). The subsection speaks only to government appeals; the defense still may seek extraordinary relief through interlocutory appeal of the military judge's orders and rulings. See generally, 28 U.S.C. §1651(a); *Waller v. Swift*, 30 M.J. 139 (C.M.A. 1990); *Dettinger v. United States*, 7 M.J. 216 (C.M.A. 1979)."

g. M.R.E. 506(j) and (k). The Analyses accompanying M.R.E. 506(j) and M.R.E. 506(k) are redesignated as subdivisions (k) and (l), respectively.

#### **Changes to the Discussion Accompanying the Manual for Courts-Martial, United States, 1984.**

A. The Discussion accompanying Part I., Preamble, paragraph. 4., is amended by inserting the following at the end thereof:

"The 1995 amendment to paragraph 4 of the Preamble is intended to eliminate the practice of identifying the Manual for Courts-Martial, United States, by a particular year. As long as the Manual was published in its entirety sporadically (e.g., 1917, 1921, 1928, 1949, 1951, 1969 and 1984), with amendments to it published piecemeal, it was logical to identify the Manual by the calendar year of publication, with periodic amendments identified as "Changes" to the Manual. The more frequent publication of a new edition of the Manual, however, means that it is more appropriately identified by the calendar year of edition. Amendments made in a particular calendar year will be identified by publishing the relevant Executive order containing those amendments in its entirety in a Manual appendix."

B. Subsection 2(B)(ii) of the Discussion following R.C.M. 202(a) is amended to read as follows:

"(ii) *Effect of discharge and reenlistment.* For offenses occurring on or after 23 October 1992, under the 1992 Amendment to Article 3(a), a person who reenlists following a discharge may be tried for offenses committed during the earlier term of service. For offenses occurring prior to 23 October 1992, a person who reenlists following a discharge may be tried for offenses committed during the earlier term of service only if the offense was punishable by confinement for five (5) years or more and could not be tried in the courts of the United States or of a State, a Possession, a Territory, or the District of Columbia. However, see (iii)(a) below."

C. Subsections 2(B)(iii) and 2(B)(iii)(a) of the Discussion following R.C.M. 202(a) are amended to read as follows:

"(iii) *Exceptions.* There are several exceptions to the general principle that court-martial jurisdiction terminates on discharge or its equivalent.

(a) A person who was subject to the code at the time an offense was committed may be tried by court-martial for that offense despite a later discharge or other termination of that status if:

(1) For offenses occurring on or after 23 October 1992, the person is, at the time of the court-martial, subject to the code, by reentry into the armed forces or otherwise. See Article 3(a) as amended by the National Defense Authorization Act for Fiscal Year 1993, Pub. L. No. 102-484, 106 Stat. 2315, 2505 (1992);

(2) For offenses occurring before 23 October 1992,

(A) The offense is one for which a court-martial may adjudge confinement for five (5) or more years;

(B) The person cannot be tried in the courts of the United States or of a State, a Possession, a Territory, or the District of Columbia; and

(C) The person is, at the time of the court-martial, subject to the code, by reentry into the armed forces or otherwise. See Article 3(a) prior to the 1992 amendment."

D. The Discussion following R.C.M. 203 is amended to read as follows:

"(a) *In general.* Courts-martial have power to try any offense under the code except when prohibited from so doing by the Constitution. The rule enunciated in *Solorio v. United States*, 483 U.S. 435 (1987) is that jurisdiction of courts-martial depends solely on the accused's status as a person subject to the Uniform Code of Military Justice, and not on the "service connection" of the offense charged.

(b) *Pleading and proof.* Normally, the inclusion of the accused's rank or grade will be sufficient to plead the service status of the accused. Ordinarily, no allegation of the accused's armed force or unit is necessary for military members on active duty. See R.C.M. 307 regarding required specificity of pleadings."

E. Subparagraph (F) of the Discussion following R.C.M. 307(c)(3) is amended to read as follows:

"(F) *Subject-matter jurisdiction allegations.* Pleading the accused's rank or grade along with the proper elements of the offense normally will be sufficient to establish subject-matter jurisdiction."

F. The first two sentences of the Discussion following R.C.M. 810(d)(1) are amended to read as follows:

"In approving a sentence not in excess of one more severe than one approved previously, a convening authority is not limited to approving the same or lesser amount of the same type of punishment formerly approved. An appropriate sentence on a retried or reheard offense should be adjudged without regard to any credit to which the accused may be entitled."

G. The following Discussion is inserted after R.C.M. 902(d)(2):

"Nothing in this rule prohibits the military judge from reasonably limiting the presentation of evidence, the scope of questioning, and argument on the subject so as to ensure that only matters material to the central issue of the military judge's possible disqualification are considered, thereby, preventing the proceedings from becoming a forum for unfounded opinion, speculation or innuendo."

H. The Discussion following R.C.M. 1003(b)(6) is amended to read as follows:

"Restriction does not exempt the person on whom it is imposed from any military duty. Restriction and hard labor without confinement may be

adjudged in the same case provided they do not exceed the maximum limits for each. See subsection (c)(1)(A)(ii) of this rule. The sentence adjudged should specify the limits of the restriction.”

I. The Discussion following R.C.M. 1105(b)(4) is amended by adding the following sentence at the end thereof:

“If the sentencing authority makes a clemency recommendation in conjunction with the announced sentence, see R.C.M. 1106(d)(3)(B).”

J. The following Discussion is inserted after R.C.M. 1106(d)(3)(B):

“The recommendation required by this rule need not include information regarding other recommendations for clemency. See R.C.M. 1105(b)(5), which pertains to clemency recommendations that may be submitted by the accused to the convening authority.”

K. The Discussion following R.C.M. 1107(d)(1) is amended to read as follows:

“A sentence adjudged by a court-martial may be approved if it was within the jurisdiction of the court-martial to adjudge (*see* R.C.M. 201(f)) and did not exceed the maximum limits prescribed in Part IV and Chapter X of this Part for the offense(s) of which the accused legally has been found guilty.

When mitigating forfeitures, the duration and amounts of forfeiture may be changed as long as the total amount forfeited is not increased and neither the amount nor duration of the forfeiture exceeds the jurisdiction of the court-martial. When mitigating confinement or hard labor without confinement, the convening authority should use the equivalencies at R.C.M. 1003(b)(6) and (7), as appropriate. One form of punishment may be changed to a less severe punishment of a different nature, as long as the changed punishment is one that the court-martial could have adjudged. For example, a bad-conduct discharge adjudged by a special court-martial could be changed to confinement for 6 months (but not vice versa). A pre-trial agreement may also affect what punishments may be changed by the convening authority.

*See also* R.C.M. 810(d) concerning sentence limitations upon a rehearing or new or other trial.”

L. The Discussion following R.C.M. 1107(d)(2) is amended by adding the following sentence at the end thereof:

“Since court-martial forfeitures constitute a loss of entitlement of the pay concerned, they take precedence over all debts.”

M. The Discussion following R.C.M. 1107(d)(3) is amended to read as follows:

“The convening authority’s decision to postpone service of a court-martial sentence to confinement normally should be reflected in the action.”

N. The following Discussion is inserted after R.C.M. 1107(f)(2):

“For purposes of this rule, a record is considered to have been forwarded for review when the convening authority has either delivered it in person or has entrusted it for delivery to a third party over whom the convening authority exercises no lawful control (*e.g.*, the United States Postal Service).”

O. The following Discussion is inserted after R.C.M. 1113(d)(2)(A)(iii):

"The convening authority's decision to postpone service of a court-martial sentence to confinement normally should be reflected in the action."

P. The Discussion following R.C.M. 1201(b)(1) is amended to read as follows:

"A case forwarded to a Court of Military Review under this subsection is subject to review by the Court of Military Appeals upon petition by the accused under Article 67(a)(3) or when certified by the Judge Advocate General under Article 67(a)(2)."

Q. The Discussion following R.C.M. 1301(d)(1) is amended to read as follows:

"The maximum penalty which can be adjudged in a summary court-martial is confinement for 30 days, forfeiture of two-thirds pay per month for one month, and reduction to the lowest pay grade. See subsection (2) below for additional limits on enlisted persons serving in pay grades above the fourth enlisted pay grade.

A summary court-martial may not suspend all or part of a sentence, although the summary court-martial may recommend to the convening authority that all or part of a sentence be suspended. If a sentence includes both reduction in grade and forfeitures, the maximum forfeiture is calculated at the reduced pay grade. See also R.C.M. 1003 concerning other punishments which may be adjudged, the effects of certain types of punishment, and combination of certain types of punishment. The summary court-martial should ascertain the effect of Article 58a in that armed force."

#### **Changes to the Maximum Punishment Chart of the Manual for Courts-Martial, United States, 1984.**

Appendix 12, the Maximum Punishment Chart, is amended by adding after Art. 134 (Seizure, destruction, removal, or disposal of property to prevent) the following:

"Self-injury without intent to avoid service In time of war, or while receiving special pay under

37 U.S.C. 310 .....	DD	5 yrs.	Total
Other .....	DD	2 yrs.	Total"

#### **Executive Order 12961 of May 26, 1995**

### **Presidential Advisory Committee on Gulf War Veterans' Illnesses**

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

**Section 1. Establishment.** (a) There is hereby established the Presidential Advisory Committee on Gulf War Veterans' Illnesses (the "Committee"). The Committee shall be composed of not more than 12 members to be appointed by the President. The members of the Committee shall have exper-

tise relevant to the functions of the Committee and shall not be full-time officials or employees of the executive branch of the Federal Government. The Committee shall be subject to the Federal Advisory Committee Act, as amended, 5 U.S.C. App. 2.

(b) The President shall designate a Chairperson from among the members of the Committee.

**Sec. 2. Functions.** (a) The Committee shall report to the President through the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Health and Human Services.

(b) The Committee shall provide advice and recommendations based on its review of the following matters:

(1) *Research*: epidemiological, clinical, and other research concerning Gulf War veterans' illnesses.

(2) *Coordinating Efforts*: the activities of the Persian Gulf Veterans Coordinating Board, including the Research Coordinating Council, the Clinical Working Group, and the Disability and Compensation Working Group.

(3) *Medical Treatment*: medical examinations and treatment in connection with Gulf War veterans' illnesses, including the Comprehensive Clinical Evaluation Program and the Persian Gulf Registry Medical Examination Program.

(4) *Outreach*: government-sponsored outreach efforts such as hotlines and newsletters related to Gulf War veterans' illnesses.

(5) *External Reviews*: the steps taken to implement recommendations in external reviews by the Institute of Medicine's Committee to Review the Health Consequences of Service During the Persian Gulf War, the Defense Science Board Task Force on Persian Gulf War Health Effects, the National Institutes of Health Technology Assessment Workshop on the Persian Gulf Experience and Health, the Persian Gulf Expert Scientific Committee, and other bodies.

(6) *Risk Factors*: the possible risks associated with service in the Persian Gulf Conflict in general and, specifically, with prophylactic drugs and vaccines, infectious diseases, environmental chemicals, radiation and toxic substances, smoke from oil well fires, depleted uranium, physical and psychological stress, and other factors applicable to the Persian Gulf Conflict.

(7) *Chemical and Biological Weapons*: information related to reports of the possible detection of chemical or biological weapons during the Persian Gulf Conflict.

(c) It shall not be a function of the Committee to conduct scientific research. The Committee shall review information and provide advice and recommendations on the activities undertaken related to the matters described in (b) above.

(d) It shall not be a function of the Committee to provide advice or recommendations on any legal liability of the Federal Government for any claims or potential claims against the Federal Government.

(e) As used herein, "Gulf War Veterans' Illnesses" means the symptoms and illnesses reported by United States uniformed services personnel who served in the Persian Gulf Conflict.

(f) The Committee shall submit an interim report within 6 months of the first meeting of the Committee and a final report by December 31, 1996, unless otherwise provided by the President.

**Sec. 3. Administration.** (a) The heads of executive departments and agencies shall, to the extent permitted by law, provide the Committee with such information as it may require for purposes of carrying out its functions.

(b) Members of the Committee shall be compensated in accordance with Federal law. Committee members may be allowed travel expenses, including per diem in lieu of subsistence, to the extent permitted by law for persons serving intermittently in the Government service (5 U.S.C. 5701-5707).

(c) To the extent permitted by law, and subject to the availability of appropriations, the Department of Defense shall provide the Committee with such funds as may be necessary for the performance of its functions.

**Sec. 4. General Provisions.** (a) Notwithstanding the provisions of any other Executive order, the functions of the President under the Federal Advisory Committee Act that are applicable to the Committee, except that of reporting annually to the Congress, shall be performed by the Secretary of Defense, in accordance with the guidelines and procedures established by the Administrator of General Services.

(b) The Committee shall terminate 30 days after submitting its final report.

(c) This order is intended only to improve the internal management of the executive branch and it is not intended to create any right, benefit or trust responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
May 26, 1995.

#### Executive Order 12962 of June 7, 1995

### Recreational Fisheries

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in furtherance of the purposes of the Fish and Wildlife Act of 1956 (16 U.S.C. 742a-d, and e-j), the Fish and Wildlife Coordination Act (16 U.S.C. 661-666c), the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), and the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801-1882), and other pertinent statutes, and in order to conserve, restore, and enhance aquatic systems to provide for increased recreational fishing opportunities nationwide, it is ordered as follows:

**Section 1. Federal Agency Duties.** Federal agencies shall, to the extent permitted by law and where practicable, and in cooperation with States and Tribes, improve the quantity, function, sustainable productivity, and distribution of U.S. aquatic resources for increased recreational fishing opportunities by: (a) developing and encouraging partnerships between govern-



ments and the private sector to advance aquatic resource conservation and enhance recreational fishing opportunities;

(b) identifying recreational fishing opportunities that are limited by water quality and habitat degradation and promoting restoration to support viable, healthy, and, where feasible, self-sustaining recreational fisheries;

(c) fostering sound aquatic conservation and restoration endeavors to benefit recreational fisheries;

(d) providing access to and promoting awareness of opportunities for public participation and enjoyment of U.S. recreational fishery resources;

(e) supporting outreach programs designed to stimulate angler participation in the conservation and restoration of aquatic systems;

(f) implementing laws under their purview in a manner that will conserve, restore, and enhance aquatic systems that support recreational fisheries;

(g) establishing cost-share programs, under existing authorities, that match or exceed Federal funds with nonfederal contributions;

(h) evaluating the effects of Federally funded, permitted, or authorized actions on aquatic systems and recreational fisheries and document those effects relative to the purpose of this order; and

(i) assisting private landowners to conserve and enhance aquatic resources on their lands.

**Sec. 2. *National Recreational Fisheries Coordination Council.*** A National Recreational Fisheries Coordination Council ("Coordination Council") is hereby established. The Coordination Council shall consist of seven members, one member designated by each of the following Secretaries—Interior, Commerce, Agriculture, Energy, Transportation, and Defense—and one by the Administrator of the Environmental Protection Agency. The Coordination Council shall: (a) ensure that the social and economic values of healthy aquatic systems that support recreational fisheries are considered by Federal agencies in the course of their actions;

(b) reduce duplicative and cost-inefficient programs among Federal agencies involved in conserving or managing recreational fisheries;

(c) share the latest resource information and management technologies to assist in the conservation and management of recreational fisheries;

(d) assess the implementation of the Conservation Plan required under section 3 of this order; and

(e) develop a biennial report of accomplishments of the Conservation Plan.

The representatives designated by the Secretaries of Commerce and the Interior shall cochair the Coordination Council.

**Sec. 3. *Recreational Fishery Resources Conservation Plan.*** (a) Within 12 months of the date of this order, the Coordination Council, in cooperation with Federal agencies, States, and Tribes, and after consulting with the Federally chartered Sport Fishing and Boating Partnership Council, shall develop a comprehensive Recreational Fishery Resources Conservation Plan ("Conservation Plan").

(b) The Conservation Plan will set forth a 5-year agenda for Federal agencies identified by the Coordination Council. In so doing, the Conservation Plan will establish, to the extent permitted by law and where practicable; (1) measurable objectives to conserve and restore aquatic systems that support viable and healthy recreational fishery resources, (2) actions to be taken by the identified Federal agencies, (3) a method of ensuring the accountability of such Federal agencies, and (4) a comprehensive mechanism to evaluate achievements. The Conservation Plan will, to the extent practicable, be integrated with existing plans and programs, reduce duplication, and will include recommended actions for cooperation with States, Tribes, conservation groups, and the recreational fisheries community.

**Sec. 4. *Joint Policy for Administering the Endangered Species Act of 1973.*** All Federal agencies will aggressively work to identify and minimize conflicts between recreational fisheries and their respective responsibilities under the Endangered Species Act of 1973 ("ESA") (16 U.S.C. 1531 *et seq.*). Within 6 months of the date of this order, the Fish and Wildlife Service and the National Marine Fisheries Service will promote compatibility and reduce conflicts between the administration of the ESA and recreational fisheries by developing a joint agency policy that will; (1) ensure consistency in the administration of the ESA between and within the two agencies, (2) promote collaboration with other Federal, State, and Tribal fisheries managers, and (3) improve and increase efforts to inform nonfederal entities of the requirements of the ESA.

**Sec. 5. *Sport Fishing and Boating Partnership Council.*** To assist in the implementation of this order, the Secretary of the Interior shall expand the role of the Sport Fishing and Boating Partnership Council to: (a) monitor specific Federal activities affecting aquatic systems and the recreational fisheries they support;

(b) review and evaluate the relation of Federal policies and activities to the status and conditions of recreational fishery resources; and

(c) prepare an annual report of its activities, findings, and recommendations for submission to the Coordination Council.

**Sec. 6. *Judicial Review.*** This order is intended only to improve the internal management of the executive branch and it is not intended to create any right, benefit or trust responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any other person.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
June 7, 1995.

Executive Order 12963 of June 14, 1995

### Presidential Advisory Council on HIV/AIDS

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct the Secretary of Health and Human Services to exercise her discretion as follows:

**Section 1. *Establishment.*** (a) The Secretary of Health and Human Services (the "Secretary") shall establish an HIV/AIDS Advisory Council (the "Advisory Council" or the "Council"), to be known as the Presidential Advisory Council on HIV/AIDS. The Advisory Council shall be composed of not more than 30 members to be appointed or designated by the Secretary. The Advisory Council shall comply with the Federal Advisory Committee Act, as amended (5 U.S.C. App.).

(b) The Secretary shall designate a Chairperson from among the members of the Advisory Council.

**Sec. 2. *Functions.*** The Advisory Council shall provide advice, information, and recommendations to the Secretary regarding programs and policies intended to (a) promote effective prevention of HIV disease, (b) advance research on HIV and AIDS, and (c) promote quality services to persons living with HIV disease and AIDS. The functions of the Advisory Council shall be solely advisory in nature. The Secretary shall provide the President with copies of all written reports provided to the Secretary by the Advisory Council.

**Sec. 3. *Administration.*** (a) The heads of executive departments and agencies shall, to the extent permitted by law, provide the Advisory Council with such information as it may require for purposes of carrying out its functions.

(b) Any members of the Advisory Council that receive compensation shall be compensated in accordance with Federal law. Committee members may be allowed travel expenses, including per diem in lieu of subsistence, to the extent permitted by law for persons serving intermittently in the Government service (5 U.S.C. section 5701–5707).

(c) To the extent permitted by law, and subject to the availability of appropriations, the Department of Health and Human Services shall provide the Advisory Council with such funds and support as may be necessary for the performance of its functions.

**Sec. 4. *General Provisions.*** (a) Notwithstanding the provisions of any other Executive order, any functions of the President under the Federal Advisory Committee Act that are applicable to the Advisory Council, except that of reporting annually to the Congress, shall be performed by the Department of Health and Human Services, in accordance with the guidelines and procedures established by the Administrator of General Services.

(b) This order is intended only to improve the internal management of the executive branch, and it is not intended to create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person.

WILLIAM J. CLINTON

THE WHITE HOUSE,

June 14, 1995.

Executive Order 12964 of June 21, 1995

## Commission on United States-Pacific Trade and Investment Policy

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Advisory Committee Act, as amended (5 U.S.C. App.) (the "Act"), and in order to establish a Commission on United States-Pacific Trade and Investment Policy, it is hereby ordered as follows:

**Section 1. Establishment.** (a) There is established the Commission on United States-Pacific Trade and Investment Policy ("Commission"). The Commission shall be composed of 15 members to be appointed by the President. Members shall (1) be chosen from the private sector (businesses, unions, academic institutions, and nonprofit corporations); and (2) have substantial experience with selling agricultural products, manufactured goods, or high-value-added services to Asian and Pacific markets or be knowledgeable from their personal or professional experience about the trade barriers or their industry and government policies and practices, formal and informal, that have restricted access by U.S. business to Asian and Pacific markets.

(b) The President shall designate a Chairperson and Vice Chairperson from among the members of the Commission.

**Sec. 2. Functions.** (a) On or before February 1, 1996, the Commission shall report to the President on the steps the United States should take to achieve a significant opening of Japan, China, and other Asian and Pacific markets to U.S. business. The report also shall identify trade and investment impediments to U.S. business in Asian and Pacific markets and provide recommendations for reducing the impediments. The report's recommendations shall reflect the goal of securing increased access for U.S. business to Asian and Pacific markets, by the turn of the century, in such a way that a maximum number of high-wage jobs are created and maintained in the United States. The Commission also shall recommend to the President (1) measures to strengthen, if necessary, ongoing programs for regular monitoring of progress toward this goal, including the periodic assessment of the nature and scope of trade and investment impediments; and (2) realistic measurements of trade and investment activity in Asia and the Pacific, which consider all relevant factors, including the composition of trade and intracompany trade and investment patterns.

(b) The Commission shall decide by a three-fifths vote which recommendations to include in the report. At the request of any Commission member, the report will include that Commission member's dissenting views or opinions.

(c) The Commission may, for the purpose of carrying out its functions, hold meetings at such times and places as the Commission may find advisable.

**Sec. 3. Administration.** (a) To the extent permitted by law, the heads of executive departments, agencies, and independent instrumentalities shall provide the Commission, upon request, with such information as it may require for the purposes of carrying out its functions.

(b) Upon request of the Chairperson of the Commission, the head of any Federal agency or instrumentality shall, to the extent permitted by law and subject to the discretion of such head, (1) make any of the facilities and services of such agency or instrumentality available to the Commission; and (2) detail any of the personnel of such agency or instrumentality to the Commission to assist the Commission in carrying out its duties.

(c) Members of the Commission shall serve without compensation for their work on the Commission. While engaged in the work of the Commission, members appointed from the private sector may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701–5707) to the extent funds are available for such purposes.

(d) To the extent permitted by law and subject to the availability of appropriations, the Department of Commerce shall provide the Commission with administrative services, facilities, staff, and other support services necessary for performance of the Commission's functions.

(e) The United States Trade Representative shall perform the functions of the President under the Act, except that of reporting to the Congress, in accordance with the guidelines and procedures established by the Administrator of General Services.

(f) The Commission shall adhere to the requirements set forth in the Act. All executive branch officials assigned duties by the Act shall comply with its requirements with respect to the Commission.

**Sec. 4. General Provision.** The Commission shall terminate 30 days after submitting its final report.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*June 21, 1995.*

**Executive Order 12965 of June 27, 1995**

### **Further Amendment to Executive Order No. 12852**

By the authority vested in me as President by the Constitution and the laws of the United States and in order to extend the President's Council on Sustainable Development, it is hereby ordered that section 4(b) of Executive Order No. 12852, as amended, is further amended by deleting "for a period of 2 years from the date of this order, unless the Council's charter is subsequently extended" and inserting in lieu thereof "until June 29, 1997, unless otherwise extended."

WILLIAM J. CLINTON

THE WHITE HOUSE,

*June 27, 1995.*

**Executive Order 12966 of July 14, 1995**

## **Foreign Disaster Assistance**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the National Defense Authorization Act for Fiscal Year 1995, Public Law 103-337 (the "Act") and section 301 of title 3, United States Code, it is hereby ordered as follows:

**Section 1.** This order governs the implementation of section 404 of title 10, United States Code, as added by amendment set forth in section 1412(a) of the Act. Pursuant to 10 U.S.C. 404(a), the Secretary of Defense is hereby directed to provide disaster assistance outside the United States to respond to manmade or natural disasters when the Secretary of Defense determines that such assistance is necessary to prevent loss of lives. The Secretary of Defense shall exercise the notification functions required of the President by 10 U.S.C. 404(c).

**Sec. 2.** The Secretary of Defense shall provide disaster assistance only: (a) at the direction of the President; or

(b) with the concurrence of the Secretary of State; or

(c) in emergency situations in order to save human lives, where there is not sufficient time to seek the prior initial concurrence of the Secretary of State, in which case the Secretary of Defense shall advise, and seek the concurrence of, the Secretary of State as soon as practicable thereafter.

For the purpose of section 2(b) of this order, only the Secretary of State, or the Deputy Secretary of State, or persons acting in those capacities, shall have the authority to withhold concurrence. Concurrence of the Secretary of State is not required for the execution of military operations undertaken pursuant to, and consistent with, assistance provided in accordance with parts (b) and (c) of this section, or with respect to matters relating to the internal financial processes of the Department of Defense.

**Sec. 3.** In providing assistance covered by this order, the Secretary of Defense shall consult with the Administrator of the Agency for International Development, in the Administrator's capacity as the President's Special Coordinator for International Disaster Assistance.

**Sec. 4.** This order does not affect any activity or program authorized under any other provision of law, except that referred to in section 1 of this order.

**Sec. 5.** This order is effective at 12:01 a.m., e.d.t. on July 15, 1995.

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,**

*July 14, 1995.*

Executive Order 12967 of July 31, 1995

## **Establishing an Emergency Board To Investigate Disputes Between Metro North Commuter Railroad and Its Employees Represented by Certain Labor Organizations**

Disputes exist between Metro North Commuter Railroad and certain employees represented by certain labor organizations. The labor organizations involved in these disputes are designated on the attached list, which is made a part of this order.

The disputes have not heretofore been adjusted under the provisions of the Railway Labor Act, as amended (45 U.S.C. 151 *et seq.*) (the "Act").

Parties empowered by the Act have requested that the President establish a second emergency board pursuant to section 9A of the Act (45 U.S.C. 159a).

Section 9A(e) of the Act provides that the President, upon such request, shall appoint a second emergency board to investigate and report on the disputes.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States of America, including section 9A of the Act, it is hereby ordered as follows:

**Section 1. *Establishment of the Board.*** There is established effective July 31, 1995, a board of three members to be appointed by the President to investigate these disputes. No member shall be pecuniarily or otherwise interested in any organization of railroad employees or any carrier. The board shall perform its functions subject to the availability of funds.

**Sec. 2. *Report.*** Within 30 days after creation of the board, the parties to the disputes shall submit to the board final offers for settlement of the disputes. Within 30 days after submission of final offers for settlement of the disputes, the board shall submit a report to the President setting forth its selection of the most reasonable offer.

**Sec. 3. *Maintaining Conditions.*** As provided by section 9A(h) of the Act, from the time a request to establish a board is made until 60 days after the board makes its report, no change, except by agreement, shall be made by the parties in the conditions out of which the disputes arose.

**Sec. 4. *Records Maintenance.*** The records and files of the board are records of the Office of the President and upon the board's termination shall be maintained in the physical custody of the National Mediation Board.

**Sec. 5. *Expiration.*** The board shall terminate upon submission of the report provided for in section 2 of this order.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
July 31, 1995.

### **LABOR ORGANIZATIONS**

Brotherhood of Locomotive Engineers including the American Train Dispatchers Department  
Brotherhood of Railroad Signalmen

International Association of Machinists & Aerospace Workers  
International Brotherhood of Boilermakers, Iron Shipbuilders,  
Blacksmiths, Forgers and Helpers  
International Brotherhood of Electrical Workers  
International Brotherhood of Firemen and Oilers  
International Brotherhood of Teamsters  
Sheet Metal Workers International Union  
Transport Workers Union of America  
Transportation Communications International Union-ARSA Division  
OUnited Transportation Union

**Executive Order 12968 of August 2, 1995****Access to Classified Information**

The national interest requires that certain information be maintained in confidence through a system of classification in order to protect our citizens, our democratic institutions, and our participation within the community of nations. The unauthorized disclosure of information classified in the national interest can cause irreparable damage to the national security and loss of human life.

Security policies designed to protect classified information must ensure consistent, cost effective, and efficient protection of our Nation's classified information, while providing fair and equitable treatment to those Americans upon whom we rely to guard our national security.

This order establishes a uniform Federal personnel security program for employees who will be considered for initial or continued access to classified information.

NOW, THEREFORE, by the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

**PART 1—DEFINITIONS, ACCESS TO CLASSIFIED INFORMATION, FINANCIAL DISCLOSURE, AND OTHER ITEMS**

**Section 1.1. Definitions.** For the purposes of this order: (a) "Agency" means any "Executive agency," as defined in 5 U.S.C. 105, the "military departments," as defined in 5 U.S.C. 102, and any other entity within the executive branch that comes into the possession of classified information, including the Defense Intelligence Agency, National Security Agency, and the National Reconnaissance Office.

(b) "Applicant" means a person other than an employee who has received an authorized conditional offer of employment for a position that requires access to classified information.

(c) "Authorized investigative agency" means an agency authorized by law or regulation to conduct a counterintelligence investigation or investigation of persons who are proposed for access to classified information



to ascertain whether such persons satisfy the criteria for obtaining and retaining access to such information.

(d) "Classified information" means information that has been determined pursuant to Executive Order No. 12958, or any successor order, Executive Order No. 12951, or any successor order, or the Atomic Energy Act of 1954 (42 U.S.C. 2011), to require protection against unauthorized disclosure.

(e) "Employee" means a person, other than the President and Vice President, employed by, detailed or assigned to, an agency, including members of the Armed Forces; an expert or consultant to an agency; an industrial or commercial contractor, licensee, certificate holder, or grantee of an agency, including all subcontractors; a personal services contractor; or any other category of person who acts for or on behalf of an agency as determined by the appropriate agency head.

(f) "Foreign power" and "agent of a foreign power" have the meaning provided in 50 U.S.C. 1801.

(g) "Need for access" means a determination that an employee requires access to a particular level of classified information in order to perform or assist in a lawful and authorized governmental function.

(h) "Need-to-know" means a determination made by an authorized holder of classified information that a prospective recipient requires access to specific classified information in order to perform or assist in a lawful and authorized governmental function.

(i) "Overseas Security Policy Board" means the Board established by the President to consider, develop, coordinate and promote policies, standards and agreements on overseas security operations, programs and projects that affect all United States Government agencies under the authority of a Chief of Mission.

(j) "Security Policy Board" means the Board established by the President to consider, coordinate, and recommend policy directives for U.S. security policies, procedures, and practices.

(k) "Special access program" has the meaning provided in section 4.1 of Executive Order No. 12958, or any successor order.

**Sec. 1.2. Access to Classified Information.** (a) No employee shall be granted access to classified information unless that employee has been determined to be eligible in accordance with this order and to possess a need-to-know.

(b) Agency heads shall be responsible for establishing and maintaining an effective program to ensure that access to classified information by each employee is clearly consistent with the interests of the national security.

(c) Employees shall not be granted access to classified information unless they:

(1) have been determined to be eligible for access under section 3.1 of this order by agency heads or designated officials based upon a favorable adjudication of an appropriate investigation of the employee's background;

(2) have a demonstrated need-to-know; and

(3) have signed an approved nondisclosure agreement.

(d) All employees shall be subject to investigation by an appropriate government authority prior to being granted access to classified information

and at any time during the period of access to ascertain whether they continue to meet the requirements for access.

(e)(1) All employees granted access to classified information shall be required as a condition of such access to provide to the employing agency written consent permitting access by an authorized investigative agency, for such time as access to classified information is maintained and for a period of 3 years thereafter, to:

(A) relevant financial records that are maintained by a financial institution as defined in 31 U.S.C. 5312(a) or by a holding company as defined in section 1101(6) of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401);

(B) consumer reports pertaining to the employee under the Fair Credit Reporting Act (15 U.S.C. 1681a); and

(C) records maintained by commercial entities within the United States pertaining to any travel by the employee outside the United States.

(2) Information may be requested pursuant to employee consent under this section where:

(A) there are reasonable grounds to believe, based on credible information, that the employee or former employee is, or may be, disclosing classified information in an unauthorized manner to a foreign power or agent of a foreign power;

(B) information the employing agency deems credible indicates the employee or former employee has incurred excessive indebtedness or has acquired a level of affluence that cannot be explained by other information; or

(C) circumstances indicate the employee or former employee had the capability and opportunity to disclose classified information that is known to have been lost or compromised to a foreign power or an agent of a foreign power.

(3) Nothing in this section shall be construed to affect the authority of an investigating agency to obtain information pursuant to the Right to Financial Privacy Act, the Fair Credit Reporting Act or any other applicable law.

**Sec. 1.3. Financial Disclosure.** (a) Not later than 180 days after the effective date of this order, the head of each agency that originates, handles, transmits, or possesses classified information shall designate each employee, by position or category where possible, who has a regular need for access to classified information that, in the discretion of the agency head, would reveal:

(1) the identity of covert agents as defined in the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421);

(2) technical or specialized national intelligence collection and processing systems that, if disclosed in an unauthorized manner, would substantially negate or impair the effectiveness of the system;

(3) the details of:

(A) the nature, contents, algorithm, preparation, or use of any code, cipher, or cryptographic system or;

(B) the design, construction, functioning, maintenance, or repair of any cryptographic equipment; but not including information concerning the use of cryptographic equipment and services;

(4) particularly sensitive special access programs, the disclosure of which would substantially negate or impair the effectiveness of the information or activity involved; or

(5) especially sensitive nuclear weapons design information (but only for those positions that have been certified as being of a high degree of importance or sensitivity, as described in section 145(f) of the Atomic Energy Act of 1954, as amended).

(b) An employee may not be granted access, or hold a position designated as requiring access, to information described in subsection (a) unless, as a condition of access to such information, the employee:

(1) files with the head of the agency a financial disclosure report, including information with respect to the spouse and dependent children of the employee, as part of all background investigations or reinvestigations;

(2) is subject to annual financial disclosure requirements, if selected by the agency head; and

(3) files relevant information concerning foreign travel, as determined by the Security Policy Board.

(c) Not later than 180 days after the effective date of this order, the Security Policy Board shall develop procedures for the implementation of this section, including a standard financial disclosure form for use by employees under subsection (b) of this section, and agency heads shall identify certain employees, by position or category, who are subject to annual financial disclosure.

**Sec. 1.4. *Use of Automated Financial Record Data Bases.*** As part of all investigations and reinvestigations described in section 1.2(d) of this order, agencies may request the Department of the Treasury, under terms and conditions prescribed by the Secretary of the Treasury, to search automated data bases consisting of reports of currency transactions by financial institutions, international transportation of currency or monetary instruments, foreign bank and financial accounts, transactions under \$10,000 that are reported as possible money laundering violations, and records of foreign travel.

**Sec. 1.5. *Employee Education and Assistance.*** The head of each agency that grants access to classified information shall establish a program for employees with access to classified information to: (a) educate employees about individual responsibilities under this order; and

(b) inform employees about guidance and assistance available concerning issues that may affect their eligibility for access to classified information, including sources of assistance for employees who have questions or concerns about financial matters, mental health, or substance abuse.

## **PART 2—ACCESS ELIGIBILITY POLICY AND PROCEDURE**

**Sec. 2.1. *Eligibility Determinations.*** (a) Determinations of eligibility for access to classified information shall be based on criteria established under

this order. Such determinations are separate from suitability determinations with respect to the hiring or retention of persons for employment by the government or any other personnel actions.

(b) The number of employees that each agency determines are eligible for access to classified information shall be kept to the minimum required for the conduct of agency functions.

(1) Eligibility for access to classified information shall not be requested or granted solely to permit entry to, or ease of movement within, controlled areas when the employee has no need for access and access to classified information may reasonably be prevented. Where circumstances indicate employees may be inadvertently exposed to classified information in the course of their duties, agencies are authorized to grant or deny, in their discretion, facility access approvals to such employees based on an appropriate level of investigation as determined by each agency.

(2) Except in agencies where eligibility for access is a mandatory condition of employment, eligibility for access to classified information shall only be requested or granted based on a demonstrated, foreseeable need for access. Requesting or approving eligibility in excess of actual requirements is prohibited.

(3) Eligibility for access to classified information may be granted where there is a temporary need for access, such as one-time participation in a classified project, provided the investigative standards established under this order have been satisfied. In such cases, a fixed date or event for expiration shall be identified and access to classified information shall be limited to information related to the particular project or assignment.

(4) Access to classified information shall be terminated when an employee no longer has a need for access.

**Sec. 2.2. *Level of Access Approval.*** (a) The level at which an access approval is granted for an employee shall be limited, and relate directly, to the level of classified information for which there is a need for access. Eligibility for access to a higher level of classified information includes eligibility for access to information classified at a lower level.

(b) Access to classified information relating to a special access program shall be granted in accordance with procedures established by the head of the agency that created the program or, for programs pertaining to intelligence activities (including special activities but not including military operational, strategic, and tactical programs) or intelligence sources and methods, by the Director of Central Intelligence. To the extent possible and consistent with the national security interests of the United States, such procedures shall be consistent with the standards and procedures established by and under this order.

**Sec. 2.3 *Temporary Access to Higher Levels.*** (a) An employee who has been determined to be eligible for access to classified information based on favorable adjudication of a completed investigation may be granted temporary access to a higher level where security personnel authorized by the agency head to make access eligibility determinations find that such access:

(1) is necessary to meet operational or contractual exigencies not expected to be of a recurring nature;

(2) will not exceed 180 days; and

(3) is limited to specific, identifiable information that is made the subject of a written access record.

(b) Where the access granted under subsection (a) of this section involves another agency's classified information, that agency must concur before access to its information is granted.

**Sec. 2.4. Reciprocal Acceptance of Access Eligibility Determinations.** (a) Except when an agency has substantial information indicating that an employee may not satisfy the standards in section 3.1 of this order, background investigations and eligibility determinations conducted under this order shall be mutually and reciprocally accepted by all agencies.

(b) Except where there is substantial information indicating that the employee may not satisfy the standards in section 3.1 of this order, an employee with existing access to a special access program shall not be denied eligibility for access to another special access program at the same sensitivity level as determined personally by the agency head or deputy agency head, or have an existing access eligibility readjudicated, so long as the employee has a need for access to the information involved.

(c) This section shall not preclude agency heads from establishing additional, but not duplicative, investigative or adjudicative procedures for a special access program or for candidates for detail or assignment to their agencies, where such procedures are required in exceptional circumstances to protect the national security.

(d) Where temporary eligibility for access is granted under sections 2.3 or 3.3 of this order or where the determination of eligibility for access is conditional, the fact of such temporary or conditional access shall be conveyed to any other agency that considers affording the employee access to its information.

**Sec. 2.5. Specific Access Requirement.** (a) Employees who have been determined to be eligible for access to classified information shall be given access to classified information only where there is a need-to-know that information.

(b) It is the responsibility of employees who are authorized holders of classified information to verify that a prospective recipient's eligibility for access has been granted by an authorized agency official and to ensure that a need-to-know exists prior to allowing such access, and to challenge requests for access that do not appear well-founded.

**Sec. 2.6. Access by Non-United States Citizens.** (a) Where there are compelling reasons in furtherance of an agency mission, immigrant alien and foreign national employees who possess a special expertise may, in the discretion of the agency, be granted limited access to classified information only for specific programs, projects, contracts, licenses, certificates, or grants for which there is a need for access. Such individuals shall not be eligible for access to any greater level of classified information than the United States Government has determined may be releasable to the country of which the subject is currently a citizen, and such limited access may be approved only if the prior 10 years of the subject's life can be appropriately investigated. If there are any doubts concerning granting access, additional lawful investigative procedures shall be fully pursued.

(b) Exceptions to these requirements may be permitted only by the agency head or the senior agency official designated under section 6.1 of this order to further substantial national security interests.

### PART 3—ACCESS ELIGIBILITY STANDARDS

**Sec. 3.1. Standards.** (a) No employee shall be deemed to be eligible for access to classified information merely by reason of Federal service or contracting, licensee, certificate holder, or grantee status, or as a matter of right or privilege, or as a result of any particular title, rank, position, or affiliation.

(b) Except as provided in sections 2.6 and 3.3 of this order, eligibility for access to classified information shall be granted only to employees who are United States citizens for whom an appropriate investigation has been completed and whose personal and professional history affirmatively indicates loyalty to the United States, strength of character, trustworthiness, honesty, reliability, discretion, and sound judgment, as well as freedom from conflicting allegiances and potential for coercion, and willingness and ability to abide by regulations governing the use, handling, and protection of classified information. A determination of eligibility for access to such information is a discretionary security decision based on judgments by appropriately trained adjudicative personnel. Eligibility shall be granted only where facts and circumstances indicate access to classified information is clearly consistent with the national security interests of the United States, and any doubt shall be resolved in favor of the national security.

(c) The United States Government does not discriminate on the basis of race, color, religion, sex, national origin, disability, or sexual orientation in granting access to classified information.

(d) In determining eligibility for access under this order, agencies may investigate and consider any matter that relates to the determination of whether access is clearly consistent with the interests of national security. No inference concerning the standards in this section may be raised solely on the basis of the sexual orientation of the employee.

(e) No negative inference concerning the standards in this section may be raised solely on the basis of mental health counseling. Such counseling can be a positive factor in eligibility determinations. However, mental health counseling, where relevant to the adjudication of access to classified information, may justify further inquiry to determine whether the standards of subsection (b) of this section are satisfied, and mental health may be considered where it directly relates to those standards.

(f) Not later than 180 days after the effective date of this order, the Security Policy Board shall develop a common set of adjudicative guidelines for determining eligibility for access to classified information, including access to special access programs.

**Sec. 3.2. Basis for Eligibility Approval.** (a) Eligibility determinations for access to classified information shall be based on information concerning the applicant or employee that is acquired through the investigation conducted pursuant to this order or otherwise available to security officials and shall be made part of the applicant's or employee's security record. Applicants

or employees shall be required to provide relevant information pertaining to their background and character for use in investigating and adjudicating their eligibility for access.

(b) Not later than 180 days after the effective date of this order, the Security Policy Board shall develop a common set of investigative standards for background investigations for access to classified information. These standards may vary for the various levels of access.

(c) Nothing in this order shall prohibit an agency from utilizing any lawful investigative procedure in addition to the investigative requirements set forth in this order and its implementing regulations to resolve issues that may arise during the course of a background investigation or reinvestigation.

**Sec. 3.3. *Special Circumstances.*** (a) In exceptional circumstances where official functions must be performed prior to the completion of the investigative and adjudication process, temporary eligibility for access to classified information may be granted to an employee while the initial investigation is underway. When such eligibility is granted, the initial investigation shall be expedited.

(1) Temporary eligibility for access under this section shall include a justification, and the employee must be notified in writing that further access is expressly conditioned on the favorable completion of the investigation and issuance of an access eligibility approval. Access will be immediately terminated, along with any assignment requiring an access eligibility approval, if such approval is not granted.

(2) Temporary eligibility for access may be granted only by security personnel authorized by the agency head to make access eligibility determinations and shall be based on minimum investigative standards developed by the Security Policy Board not later than 180 days after the effective date of this order.

(3) Temporary eligibility for access may be granted only to particular, identified categories of classified information necessary to perform the lawful and authorized functions that are the basis for the granting of temporary access.

(b) Nothing in subsection (a) shall be construed as altering the authority of an agency head to waive requirements for granting access to classified information pursuant to statutory authority.

(c) Where access has been terminated under section 2.1(b)(4) of this order and a new need for access arises, access eligibility up to the same level shall be reapproved without further investigation as to employees who were determined to be eligible based on a favorable adjudication of an investigation completed within the prior 5 years, provided they have remained employed by the same employer during the period in question, the employee certifies in writing that there has been no change in the relevant information provided by the employee for the last background investigation, and there is no information that would tend to indicate the employee may no longer satisfy the standards established by this order for access to classified information.

(d) Access eligibility shall be reapproved for individuals who were determined to be eligible based on a favorable adjudication of an investigation completed within the prior 5 years and who have been retired or otherwise

separated from United States Government employment for not more than 2 years; provided there is no indication the individual may no longer satisfy the standards of this order, the individual certifies in writing that there has been no change in the relevant information provided by the individual for the last background investigation, and an appropriate record check reveals no unfavorable information.

**Sec. 3.4. *Reinvestigation Requirements.*** (a) Because circumstances and characteristics may change dramatically over time and thereby alter the eligibility of employees for continued access to classified information, reinvestigations shall be conducted with the same priority and care as initial investigations.

(b) Employees who are eligible for access to classified information shall be the subject of periodic reinvestigations and may also be reinvestigated if, at any time, there is reason to believe that they may no longer meet the standards for access established in this order.

(c) Not later than 180 days after the effective date of this order, the Security Policy Board shall develop a common set of reinvestigative standards, including the frequency of reinvestigations.

#### **PART 4—INVESTIGATIONS FOR FOREIGN GOVERNMENTS**

**Sec. 4. *Authority.*** Agencies that conduct background investigations, including the Federal Bureau of Investigation and the Department of State, are authorized to conduct personnel security investigations in the United States when requested by a foreign government as part of its own personnel security program and with the consent of the individual.

#### **PART 5—REVIEW OF ACCESS DETERMINATIONS**

**Sec. 5.1. *Determinations of Need for Access.*** A determination under section 2.1(b)(4) of this order that an employee does not have, or no longer has, a need for access is a discretionary determination and shall be conclusive.

**Sec. 5.2. *Review Proceedings for Denials or Revocations of Eligibility for Access.*** (a) Applicants and employees who are determined to not meet the standards for access to classified information established in section 3.1 of this order shall be:

(1) provided as comprehensive and detailed a written explanation of the basis for that conclusion as the national security interests of the United States and other applicable law permit;

(2) provided within 30 days, upon request and to the extent the documents would be provided if requested under the Freedom of Information Act (5 U.S.C. 552) or the Privacy Act (3 U.S.C. 552a), as applicable, any documents, records, and reports upon which a denial or revocation is based;

(3) informed of their right to be represented by counsel or other representative at their own expense; to request any documents, records, and reports as described in section 5.2(a)(2) upon which a denial or revocation



is based; and to request the entire investigative file, as permitted by the national security and other applicable law, which, if requested, shall be promptly provided prior to the time set for a written reply;

(4) provided a reasonable opportunity to reply in writing to, and to request a review of, the determination;

(5) provided written notice of and reasons for the results of the review, the identity of the deciding authority, and written notice of the right to appeal;

(6) provided an opportunity to appeal in writing to a high level panel, appointed by the agency head, which shall be comprised of at least three members, two of whom shall be selected from outside the security field. Decisions of the panel shall be in writing, and final except as provided in subsection (b) of this section; and

(7) provided an opportunity to appear personally and to present relevant documents, materials, and information at some point in the process before an adjudicative or other authority, other than the investigating entity, as determined by the agency head. A written summary or recording of such appearance shall be made part of the applicant's or employee's security record, unless such appearance occurs in the presence of the appeals panel described in subsection (a)(6) of this section.

(b) Nothing in this section shall prohibit an agency head from personally exercising the appeal authority in subsection (a)(6) of this section based upon recommendations from an appeals panel. In such case, the decision of the agency head shall be final.

(c) Agency heads shall promulgate regulations to implement this section and, at their sole discretion and as resources and national security considerations permit, may provide additional review proceedings beyond those required by subsection (a) of this section. This section does not require additional proceedings, however, and creates no procedural or substantive rights.

(d) When the head of an agency or principal deputy personally certifies that a procedure set forth in this section cannot be made available in a particular case without damaging the national security interests of the United States by revealing classified information, the particular procedure shall not be made available. This certification shall be conclusive.

(e) This section shall not be deemed to limit or affect the responsibility and power of an agency head pursuant to any law or other Executive order to deny or terminate access to classified information in the interests of national security. The power and responsibility to deny or terminate access to classified information pursuant to any law or other Executive order may be exercised only where the agency head determines that the procedures prescribed in subsection (a) of this section cannot be invoked in a manner that is consistent with national security. This determination shall be conclusive.

(f)(1) This section shall not be deemed to limit or affect the responsibility and power of an agency head to make determinations of suitability for employment.

(2) Nothing in this section shall require that an agency provide the procedures prescribed in subsection (a) of this section to an applicant

where a conditional offer of employment is withdrawn for reasons of suitability or any other reason other than denial of eligibility for access to classified information.

(3) A suitability determination shall not be used for the purpose of denying an applicant or employee the review proceedings of this section where there has been a denial or revocation of eligibility for access to classified information.

## **PART 6—IMPLEMENTATION**

**Sec. 6.1. Agency Implementing Responsibilities.** Heads of agencies that grant employees access to classified information shall: (a) designate a senior agency official to direct and administer the agency's personnel security program established by this order. All such programs shall include active oversight and continuing security education and awareness programs to ensure effective implementation of this order;

(b) cooperate, under the guidance of the Security Policy Board, with other agencies to achieve practical, consistent, and effective adjudicative training and guidelines; and

(c) conduct periodic evaluations of the agency's implementation and administration of this order, including the implementation of section 1.3(a) of this order. Copies of each report shall be provided to the Security Policy Board.

**Sec. 6.2. Employee Responsibilities.** (a) Employees who are granted eligibility for access to classified information shall:

(1) protect classified information in their custody from unauthorized disclosure;

(2) report all contacts with persons, including foreign nationals, who seek in any way to obtain unauthorized access to classified information;

(3) report all violations of security regulations to the appropriate security officials; and

(4) comply with all other security requirements set forth in this order and its implementing regulations.

(b) Employees are encouraged and expected to report any information that raises doubts as to whether another employee's continued eligibility for access to classified information is clearly consistent with the national security.

**Sec. 6.3. Security Policy Board Responsibilities and Implementation.** (a) With respect to actions taken by the Security Policy Board pursuant to sections 1.3(c), 3.1(f), 3.2(b), 3.3(a)(2), and 3.4(c) of this order, the Security Policy Board shall make recommendations to the President through the Assistant to the President for National Security Affairs for implementation.

(b) Any guidelines, standards, or procedures developed by the Security Policy Board pursuant to this order shall be consistent with those guidelines issued by the Federal Bureau of Investigation in March 1994 on Background Investigations Policy/Guidelines Regarding Sexual Orientation.

(c) In carrying out its responsibilities under this order, the Security Policy Board shall consult where appropriate with the Overseas Security Policy Board. In carrying out its responsibilities under section 1.3(c) of this order, the Security Policy Board shall obtain the concurrence of the Director of the Office of Management and Budget.

**Sec. 6.4. Sanctions.** Employees shall be subject to appropriate sanctions if they knowingly and willfully grant eligibility for, or allow access to, classified information in violation of this order or its implementing regulations. Sanctions may include reprimand, suspension without pay, removal, and other actions in accordance with applicable law and agency regulations.

## **PART 7—GENERAL PROVISIONS**

**Sec. 7.1. Classified Information Procedures Act.** Nothing in this order is intended to alter the procedures established under the Classified Information Procedures Act (18 U.S.C. App. 1).

**Sec. 7.2. General.** (a) Information obtained by an agency under sections 1.2(e) or 1.3 of this order may not be disseminated outside the agency, except to:

(1) the agency employing the employee who is the subject of the records or information;

(2) the Department of Justice for law enforcement or counterintelligence purposes; or

(3) any agency if such information is clearly relevant to the authorized responsibilities of such agency.

(b) The Attorney General, at the request of the head of an agency, shall render an interpretation of this order with respect to any question arising in the course of its administration.

(c) No prior Executive orders are repealed by this order. To the extent that this order is inconsistent with any provision of any prior Executive order, this order shall control, except that this order shall not diminish or otherwise affect the requirements of Executive Order No. 10450, the denial and revocation procedures provided to individuals covered by Executive Order No. 10865, as amended, or access by historical researchers and former presidential appointees under Executive Order No. 12958 or any successor order.

(d) If any provision of this order or the application of such provision is held to be invalid, the remainder of this order shall not be affected.

(e) This Executive order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right to administrative or judicial review, or any other right or benefit or trust responsibility, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

(f) This order is effective immediately.

WILLIAM J. CLINTON

THE WHITE HOUSE,

August 2, 1995.

#### Executive Order 12969 of August 8, 1995

### Federal Acquisition and Community Right-to-Know

The Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11001-11050) ("EPCRA") and the Pollution Prevention Act of 1990 (42 U.S.C. 13101-13109) ("PPA") established programs to protect public health and the environment by providing the public with important information on the toxic chemicals being released into the air, land, and water in their communities by manufacturing facilities.

The Toxics Release Inventory ("TRI") established pursuant to section 313(j) of EPCRA, 42 U.S.C. 11023(j), based on information required to be reported under section 313 of EPCRA and section 6607 of PPA, 42 U.S.C. 13106, provides the public, industry, and Federal, State, and local governments with a basic tool for making risk-based decisions about management and control of toxic chemicals, that can have significant adverse effects on human health and the environment. TRI data allow the public, industry, and government to gauge the progress of industry and government efforts to reduce toxic chemical wastes.

Sharing vital TRI information with the public has provided a strong incentive for reduction in the generation, and, ultimately, release into the environment, of toxic chemicals. Since the inception of the TRI program, reported releases to the environment under TRI have decreased significantly.

The efficiency of the Federal Government is served when it purchases high quality supplies and services that have been produced with a minimum impact on the public health and environment of communities surrounding government contractors. Savings associated with reduced raw materials usage, reduced use of costly, inefficient end-of-pipeline pollution controls, and reduced liability and remediation costs from worker and community claims all serve to increase the economic and efficient provision of essential supplies and services to the government. As a result of TRI reporting, many manufacturers have learned of previously unrecognized significant efficiencies and cost savings in their production processes.

The Federal Government's receipt of timely and quality supplies and services is also served by the general enhancement of relations between government contractors and the communities in which they are situated, as well as the cooperative working relationship between employers and employees who may be subject to exposure to toxic materials.

Information concerning chemical release and transfer can assist the government to purchase efficiently produced, lower cost, and higher quality supplies and services that also have a minimum adverse impact on community health and the environment.

NOW, THEREFORE, to promote economy and efficiency in government procurement of supplies and services, and by the authority vested in me as President by the Constitution and the laws of the United States of America, including EPCRA, 42 U.S.C. 11001 et seq., PPA, 42 U.S.C. 13101 et seq., 40 U.S.C. 471 and 486(a), and 3 U.S.C. 301, it is hereby ordered as follows:

**Section 1. Policy.** It is the policy of the executive branch in procuring supplies and services that, to ensure the economical and efficient procurement of Federal Government contracts, Federal agencies, to the greatest extent practicable, shall contract with companies that report in a public manner on toxic chemicals released to the environment.

**Sec. 2. Definitions.** 2-201. All definitions found in EPCRA and PPA and implementing regulations are incorporated into this order by reference, with the following exceptions for purposes of this order.

2-202. "*Federal agency*" means an "Executive agency," as defined in 5 U.S.C. 105. For purposes of this order, military departments, as defined in 5 U.S.C. 102, are covered under the auspices of the Department of Defense.

2-203. "*Acquisition*" means the acquiring by contract with appropriated funds of supplies or services (including construction) by and for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated, and evaluated. Acquisition begins at the point when the Federal department or agency needs are established and includes the description of requirements to satisfy agency needs, solicitation and selection of sources, award of contracts, contract financing, contract performance, contract administration, and those technical and management functions directly related to the process of fulfilling agency needs by contract.

2-204. "*Toxic chemical*" means a substance on the list described in section 313(c) of EPCRA, 42 U.S.C. 11023(c), as it exists on the effective date of this order.

2-205. "*Administrator*" means the Administrator of the United States Environmental Protection Agency ("EPA").

2-206. "*Federal contractor*" means an entity that has submitted the successful bid or proposal in response to a competitive acquisition solicitation.

**Sec. 3. Applicability.** 3-301. Each Federal agency shall, to the maximum extent practicable, include in contract solicitations as an eligibility criterion for the award of competitive acquisition contracts expected to equal or exceed \$100,000 with the Federal contractors described in subsection 3-302, the requirement that such contractors must file (and continue to file for the life of the contract) a Toxic Chemical Release Form ("Form R"), as described in sections 313(a) and (g) of EPCRA, 42 U.S.C. 11023(a) and (g), for each toxic chemical manufactured, processed, or otherwise used by the Federal contractor at a facility, as described in section 313 of EPCRA, 42 U.S.C. 11023, and section 6607 of PPA, 42 U.S.C. 13106.

3-302. The Federal contractors subject to the eligibility criterion described in subsection 3-301 above are those who currently report to the TRI pursuant to section 313(b)(1)(A) of EPCRA, 42 U.S.C. 11023(b)(1)(A), that is, manufacturers having Standard Industrial Classification Code ("SIC") designations of 20 through 39 (as in effect on July 1, 1985).

3-303. Each Federal agency shall find that a prospective Federal contractor has satisfied the requirement in subsection 3-301 if the contractor certifies in a solicitation that it:

(a) Does not manufacture, process, or otherwise use any toxic chemicals listed under section 313(c) of EPCRA, 42 U.S.C. 11023(c);

(b) Does not have 10 or more full-time employees as specified in section 313(b)(1)(A) of EPCRA, 42 U.S.C. 11023(b)(1)(A);

(c) Does not meet the reporting thresholds established under section 313(f) of the EPCRA, 42 U.S.C. 11023(f); or

(d) Has complied fully with the reporting requirements of subsection 4-404.

3-304. Each Federal agency shall require the filings described in subsection 3-301 above to include information on all chemicals identified by the Administrator pursuant to section 313(c) of EPCRA, 42 U.S.C. 11023(c), as of the date of this order.

3-305. Each Federal agency may amend existing contracts, to the extent permitted by law and where practicable, to require the reporting of information specified in subsection 3-301 above.

3-306. As consistent with Title IV of the Federal Acquisition Streamlining Act of 1994 (FASA), Public Law 103-355, and section 4(11) of the Office of Federal Procurement Policy Act, 41 U.S.C. 403(11), the requirements of this order are only applicable to competitive acquisition contracts expected to equal or exceed \$100,000.

**Sec. 4. Implementation.** 4-401. Not later than September 30, 1995, the EPA shall publish in the **Federal Register** guidance for compliance with this order, including applicability with respect to subcontractors.

4-402. Within 30 days of the issuance of the guidance provided for in subsection 4-401 above, each Federal agency shall include in all acquisition solicitations issued on or after the effective date of this order, the provisions necessary to effect this order.

4-403. For all contracts expected to exceed \$500,000, each Federal agency shall consult with the Administrator or the Administrator's designee when the agency believes it is not practicable to include the eligibility requirement of section 3-301 in the contract solicitation or award.

4-404. Each Federal agency shall require each Federal contractor designated in subsection 3-302 above to:

(a) Have included in its response to the contract solicitation a certification, as specified in the guidelines published pursuant to subsection 4-401 of this order, that it will (if awarded the contract) comply with the requirements of subsection 3-301; and

(b) File with the Administrator and each appropriate State pursuant to section 313(a) of EPCRA, 42 U.S.C. 11023(a), the information required by subsection 3-301, beginning on the next July 1 after the date on which the contract is awarded.

4-405. Information submitted to the EPA pursuant to subsection 4-404(b) above shall be subject to the trade secret protections provided by section 322 of EPCRA, 42 U.S.C. 11042. Information that is not trade secret shall

be made available to the public pursuant to sections 313(h) and (j) of EPCRA, 42 U.S.C. 11023(h) and (j). The Administrator is directed to review reports submitted pursuant to this order to determine the appropriateness of any claims for trade secret protection.

4-406. When the Administrator determines that a Federal contractor has not filed the necessary forms or complete information as required by subsection 3-301 above, the Administrator or the Administrator's designee may recommend termination of the contract for convenience. The Administrator shall transmit that recommendation to the head of the contracting agency, and that agency shall consider the recommendation and determine whether to terminate the contract. In carrying out this responsibility, the Administrator may investigate any subject Federal contractor to determine the adequacy of compliance with the provisions of this order and the Administrator's designee may hold such hearings, public or private, as the Administrator deems advisable to assist in the Administrator's determination of compliance.

4-407. Each contracting agency shall cooperate with the Administrator and provide such information and assistance as the Administrator may require in the performance of the Administrator's functions under this order.

4-408. Upon request and to the extent practicable, the Administrator shall provide technical advice and assistance to Federal agencies in order to assist in full compliance with this order.

**Sec 5. General Provisions.** 5-501. The requirements of this order shall be implemented and incorporated in acquisition regulations, including the Federal Acquisition Regulations (FAR), within 90 days after the effective date of this order.

5-502. This order is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or its employees. This order is not intended, however, to preclude judicial review of final agency decisions in accordance with the Administrative Procedure Act, 5 U.S.C. 701 et seq.

5-503. This order shall be effective immediately and shall continue to be in effect until revoked.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
August 8, 1995.

**Executive Order 12970 of September 14, 1995**

### **Further Amendment to Executive Order No. 12864**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to extend the United States Advisory Council on the National Information Infrastructure, it is hereby ordered that section 4(b) of Executive Order No. 12864, as amended, is further amended by deleting "for a period of two years from the date of this order, unless the Council's charter is subsequently extended prior to the

aforementioned date" and inserting in lieu thereof "until June 1, 1996, unless otherwise extended."

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,**  
*September 14, 1995.*

**Executive Order 12971 of September 15, 1995**

**Amendment to Executive Order No. 12425**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to extend the appropriate privileges, exemptions, and immunities upon the International Criminal Police Organization ("INTERPOL") it is hereby ordered that Executive Order No. 12425 be amended by deleting, in the first sentence, the words "the portions of Section 2(d) and" and the words "relating to customs duties and federal internal-revenue importation taxes".

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,**  
*September 15, 1995.*

**Executive Order 12972 of September 18, 1995**

**Amendment to Executive Order No. 12958**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to amend Executive Order No. 12958, it is hereby ordered that the definition of "agency" in section 1.1(i) of such order is hereby amended to read as follows: "(i) "Agency" means any "Executive agency" as defined in 5 U.S.C. 105; any "Military department" as defined in 5 U.S.C. 102; and any other entity within the executive branch that comes into the possession of classified information."

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,**  
*September 18, 1995.*

**Executive Order 12973 of September 27, 1995**

**Amendment to Executive Order No. 12901**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 141 and 301-310 of the Trade Act of 1974, as amended (19 U.S.C. 2171, 2411-2420), and to ensure that the trade policies of the United States advance, to the greatest extent possible, the export of the products and services of the United States and



that trade policy resources are used efficiently, it is hereby ordered that Executive Order No. 12901 of March 3, 1994, is amended in section 1 by inserting in the first sentence "1996" in place of "1994" and "1997" in place of "1995."

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*September 27, 1995.*

**Executive Order 12974 of September 29, 1995**

**Continuance of Certain Federal Advisory Committees**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in accordance with the provisions of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), it is hereby ordered as follows:

**Section 1.** Each advisory committee listed below is continued until September 30, 1997.

(a) Committee for the Preservation of the White House; Executive Order No. 11145, as amended (Department of the Interior).

(b) Federal Advisory Council on Occupational Safety and Health; Executive Order No. 12196, as amended (Department of Labor).

(c) National Partnership Council; Executive Order No. 12871 (Office of Personnel Management).

(d) President's Advisory Commission on Educational Excellence for Hispanic Americans; Executive Order No. 12900 (Department of Education).

(e) President's Board of Advisors on Historically Black Colleges and Universities; Executive Order No. 12876 (Department of Education).

(f) President's Commission on White House Fellowships; Executive Order No. 11183, as amended (Office of Personnel Management).

(g) President's Committee of Advisors on Science and Technology; Executive Order No. 12882, as amended (Office of Science and Technology Policy).

(h) President's Committee on the Arts and the Humanities; Executive Order No. 12367, as amended (National Endowment for the Arts).

(i) President's Committee on the International Labor Organization; Executive Order No. 12216, as amended (Department of Labor).

(j) President's Committee on Mental Retardation; Executive Order No. 11776, as amended (Department of Health and Human Services).

(k) President's Committee on the National Medal of Science; Executive Order No. 11287, as amended (National Science Foundation).

(l) President's Council on Physical Fitness and Sports; Executive Order No. 12345, as amended (Department of Health and Human Services).

(m) President's Export Council; Executive Order No. 12131, as amended (Department of Commerce).

(n) President's National Security Telecommunications Advisory Committee; Executive Order No. 12382, as amended (Department of Defense).

(o) Trade and Environment Policy Advisory Committee; Executive Order No. 12905 (Office of the United States Trade Representative).

**Sec. 2.** Notwithstanding the provisions of any other Executive order, the functions of the President under the Federal Advisory Committee Act that are applicable to the committees listed in section 1 of this order, except that of reporting annually to the Congress, shall be performed by the head of the department or agency designated after each committee, in accordance with the guidelines and procedures established by the Administrator of General Services.

**Sec. 3.** The following Executive orders or sections thereof, which established committees that have terminated or whose work is completed, are revoked:

(a) Executive Order No. 12878, as amended by Executive Order Nos. 12887 and 12912, establishing the Bipartisan Commission on Entitlement Reform; and

(b) That portion of section 2 of Executive Order No. 12844 that established the Federal Fleet Conversion Task Force.

**Sec. 4.** Executive Order No. 12869 is superseded.

**Sec. 5.** This order shall be effective September 30, 1995.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*September 29, 1995.*

**Executive Order 12975 of October 3, 1995**

## **Protection of Human Research Subjects and Creation of National Bioethics Advisory Commission**

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

**Section 1. Review of Policies and Procedures.** (a) Each executive branch department and agency that conducts, supports, or regulates research involving human subjects shall promptly review the protections of the rights and welfare of human research subjects that are afforded by the department's or agency's existing policies and procedures. In conducting this review, departments and agencies shall take account of the recommendations contained in the report of the Advisory Committee on Human Radiation Experiments.

(b) Within 120 days of the date of this order, each department and agency that conducts, supports, or regulates research involving human subjects shall report the results of the review required by paragraph (a) of this section to the National Bioethics Advisory Commission, created pursuant to this order. The report shall include an identification of measures that the department or agency plans or proposes to implement to enhance human subject protections. As set forth in section 5 of this order, the National

Bioethics Advisory Commission shall pursue, as its first priority, protection of the rights and welfare of human research subjects.

(c) For purposes of this order, the terms "research" and "human subject" shall have the meaning set forth in the 1991 Federal Policy for the Protection of Human Subjects.

**Sec. 2. *Research Ethics.*** Each executive branch department and agency that conducts, supports, or regulates research involving human subjects shall, to the extent practicable and appropriate, develop professional and public educational programs to enhance activities related to human subjects protection, provide forums for addressing ongoing and emerging issues in human subjects research, and familiarize professionals engaged in nonfederally-funded research with the ethical considerations associated with conducting research involving human subjects. Where appropriate, such professional and educational programs should be organized and conducted with the participation of medical schools, universities, scientific societies, voluntary health organizations, or other interested parties.

**Sec. 3. *Establishment of National Bioethics Advisory Commission.*** (a) There is hereby established a National Bioethics Advisory Commission ("NBAC"). NBAC shall be composed of not more than 15 members to be appointed by the President. NBAC shall be subject to the Federal Advisory Committee Act, as amended (5 U.S.C. App.).

(b) The President shall designate a Chairperson from among the members of NBAC.

**Sec. 4. *Functions.*** (a) NBAC shall provide advice and make recommendations to the National Science and Technology Council and to other appropriate government entities regarding the following matters:

(1) the appropriateness of departmental, agency, or other governmental programs, policies, assignments, missions, guidelines, and regulations as they relate to bioethical issues arising from research on human biology and behavior; and

(2) applications, including the clinical applications, of that research.

(b) NBAC shall identify broad principles to govern the ethical conduct of research, citing specific projects only as illustrations for such principles.

(c) NBAC shall not be responsible for the review and approval of specific projects.

(d) In addition to responding to requests for advice and recommendations from the National Science and Technology Council, NBAC also may accept suggestions of issues for consideration from both the Congress and the public. NBAC also may identify other bioethical issues for the purpose of providing advice and recommendations, subject to the approval of the National Science and Technology Council.

**Sec. 5. *Priorities.*** (a) As a first priority, NBAC shall direct its attention to consideration of: protection of the rights and welfare of human research subjects; and issues in the management and use of genetic information, including but not limited to, human gene patenting.

(b) NBAC shall consider four criteria in establishing the other priorities for its activities:

(1) the public health or public policy urgency of the bioethical issue;

(2) the relation of the bioethical issue to the goals for Federal investment in science and technology;

(3) the absence of another entity able to deliberate appropriately on the bioethical issue; and

(4) the extent of interest in the issue within the Federal Government.

**Sec. 6. Administration.** (a) The heads of executive departments and agencies shall, to the extent permitted by law, provide NBAC with such information as it may require for purposes of carrying out its functions.

(b) NBAC may conduct inquiries, hold hearings, and establish subcommittees, as necessary. The Assistant to the President for Science and Technology and the Secretary of Health and Human Services shall be notified upon establishment of each subcommittee, and shall be provided information on the name, membership (including chair), function, estimated duration, and estimated frequency of meetings of the subcommittee.

(c) NBAC is authorized to conduct analyses and develop reports or other materials. In order to augment the expertise present on NBAC, the Secretary of Health and Human Services may contract for the services of non-governmental consultants who may conduct analyses, prepare reports and background papers, or prepare other materials for consideration by NBAC, as appropriate.

(d) Members of NBAC shall be compensated in accordance with Federal law. Members of NBAC may be allowed travel expenses, including per diem in lieu of subsistence, to the extent permitted by law for persons serving intermittently in the government service (5 U.S.C. 5701-5707).

(e) To the extent permitted by law, and subject to the availability of appropriations, the Department of Health and Human Services shall provide NBAC with such funds as may be necessary for the performance of its functions. The Secretary of Health and Human Services shall provide management and support services to NBAC.

**Sec. 7. General Provisions.** (a) Notwithstanding the provisions of any other Executive order, the functions of the President under the Federal Advisory Committee Act that are applicable to NBAC, except that of reporting annually to the Congress, shall be performed by the Secretary of Health and Human Services, in accordance with the guidelines and procedures established by the Administrator of General Services.

(b) NBAC shall terminate two years from the date of this order unless extended prior to that date.

(c) This order is intended only to improve the internal management of the executive branch and it is not intended to create any right, benefit, trust, or responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
October 3, 1995.

Executive Order 12976 of October 5, 1995

## Compensation Practices of Government Corporations

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, and sections 1105, 1108, and 1111 of title 31, United States Code, it is hereby ordered as follows:

### **Section 1. *Statement of Presidential Principles.***

Government corporations subject to this order should not pay bonuses in excess of those authorized by sections 4501 through 4507 of title 5, United States Code, except as otherwise specifically provided by law.

**Sec. 2. *Administration Review.*** (a) Before taking action to approve any bonus in excess of those authorized in section 4502 of title 5, United States Code, each corporation subject to this section (as provided in section 6 of this order) shall submit information to the Director of the Office of Management and Budget (OMB) relating to such bonuses as provided in subsection (b). Such corporation shall refrain from approving any such bonus until the Director of OMB has had an opportunity to review the information provided by the corporation.

(b) The Director of OMB shall issue instructions to the corporations subject to this section specifying when information is to be submitted, and the content and form of such information.

**Sec. 3. *Information Reporting Requirements.*** (a) Government corporations subject to this order will provide information to the Director of OMB relating to the compensation practices for senior executives of such corporations as provided in subsection (c).

(b) Information submitted shall include the following with respect to senior executives of each corporation subject to this section:

(1) the compensation plan, procedures, and structure of such corporation;

(2) base salary levels, annual bonuses, and other compensation; and

(3) information supporting the senior executive compensation plan and levels.

(c) The Director of OMB shall issue instructions to the corporations subject to this section specifying when information is to be submitted, and the content and form of such information.

**Sec. 4. *Review.*** (a) OMB, in consultation with the Department of Labor, will review the information submitted pursuant to section 3, taking into consideration:

(1) consistency with statutory requirements;

(2) consistency with corporate mission;

(3) standards of Federal management and efficiency; and

(4) equivalent private sector compensation practices.

**Sec. 5. *Public Dissemination Requirement.*** Government corporations subject to this order shall make available through public dissemination the information submitted pursuant to section 3 of this order.

**Sec. 6. Coverage.** This order will apply to all mixed-ownership and wholly owned corporations listed in section 9101 (2) and (3) of title 31, United States Code. Section 2 shall apply only to wholly owned corporations except such corporations that have specific authority to approve bonuses in excess of those authorized under sections 4501 through 4507 of title 5, United States Code.

**Sec. 7. Administration.** All corporations subject to this order shall provide any information in the manner and form, and at the time, requested pursuant to this order by the Director of OMB.

**Sec. 8.** This order is intended only to improve the internal management of the executive branch and is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any other person.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
October 5, 1995.

#### Executive Order 12977 of October 19, 1995

### Interagency Security Committee

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to enhance the quality and effectiveness of security in and protection of buildings and facilities in the United States occupied by Federal employees for nonmilitary activities ("Federal facilities"), and to provide a permanent body to address continuing government-wide security for Federal facilities, it is hereby ordered as follows:

**Section 1. Establishment.** There is hereby established within the executive branch the Interagency Security Committee ("Committee"). The Committee shall consist of: (a) the Administrator of General Services ("Administrator");

(b) representatives from the following agencies, appointed by the agency heads:

- (1) Department of State;
- (2) Department of the Treasury;
- (3) Department of Defense;
- (4) Department of Justice;
- (5) Department of the Interior;
- (6) Department of Agriculture;
- (7) Department of Commerce;
- (8) Department of Labor;
- (9) Department of Health and Human Services;
- (10) Department of Housing and Urban Development;

- (11) Department of Transportation;
- (12) Department of Energy;
- (13) Department of Education;
- (14) Department of Veterans Affairs;
- (15) Environmental Protection Agency;
- (16) Central Intelligence Agency; and
- (17) Office of Management and Budget;

(c) the following individuals or their designees:

- (1) the Director, United States Marshals Service;
- (2) the Assistant Commissioner of the Federal Protective Service of the Public Buildings Service, General Services Administration ("Assistant Commissioner");
- (3) the Assistant to the President for National Security Affairs; and
- (4) the Director, Security Policy Board; and

(d) such other Federal employees as the President shall appoint.

**Sec. 2. *Chair.*** The Committee shall be chaired by the Administrator, or the designee of the Administrator.

**Sec. 3. *Working Groups.*** The Committee is authorized to establish inter-agency working groups to perform such tasks as may be directed by the Committee.

**Sec. 4. *Consultation.*** The Committee may consult with other parties, including the Administrative Office of the United States Courts, to perform its responsibilities under this order, and, at the discretion of the Committee, such other parties may participate in the working groups.

**Sec. 5. *Duties and Responsibilities.*** (a) The Committee shall: (1) establish policies for security in and protection of Federal facilities;

(2) develop and evaluate security standards for Federal facilities, develop a strategy for ensuring compliance with such standards, and oversee the implementation of appropriate security measures in Federal facilities; and

(3) take such actions as may be necessary to enhance the quality and effectiveness of security and protection of Federal facilities, including but not limited to:

(A) encouraging agencies with security responsibilities to share security-related intelligence in a timely and cooperative manner;

(B) assessing technology and information systems as a means of providing cost-effective improvements to security in Federal facilities;

(C) developing long-term construction standards for those locations with threat levels or missions that require blast resistant structures or other specialized security requirements;

(D) evaluating standards for the location of, and special security related to, day care centers in Federal facilities; and

(E) assisting the Administrator in developing and maintaining a centralized security data base of all Federal facilities.

**Sec. 6. Agency Support and Cooperation.** (a) *Administrative Support.* To the extent permitted by law and subject to the availability of appropriations, the Administrator, acting by and through the Assistant Commissioner, shall provide the Committee such administrative services, funds, facilities, staff and other support services as may be necessary for the performance of its functions under this order.

(b) *Cooperation.* Each executive agency and department shall cooperate and comply with the policies and recommendations of the Committee issued pursuant to this order, except where the Director of Central Intelligence determines that compliance would jeopardize intelligence sources and methods. To the extent permitted by law and subject to the availability of appropriations, executive agencies and departments shall provide such support as may be necessary to enable the Committee to perform its duties and responsibilities under this order.

(c) *Compliance.* The Administrator, acting by and through the Assistant Commissioner, shall be responsible for monitoring Federal agency compliance with the policies and recommendations of the Committee.

**Sec. 7. Judicial Review.** This order is intended only to improve the internal management of the Federal Government, and is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or its employees.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
October 19, 1995.

#### **Executive Order 12978 of October 21, 1995**

### **Blocking Assets and Prohibiting Transactions With Significant Narcotics Traffickers**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and section 301 of title 3, United States Code,

I, WILLIAM J. CLINTON, President of the United States of America, find that the actions of significant foreign narcotics traffickers centered in Colombia, and the unparalleled violence, corruption, and harm that they cause in the United States and abroad, constitute an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, and hereby declare a national emergency to deal with that threat.

**Section 1.** Except to the extent provided in section 203(b) of IEEPA (50 U.S.C. 1702(b)) and in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered



into or any license or permit granted prior to the effective date, I hereby order blocked all property and interests in property that are or hereafter come within the United States, or that are or hereafter come within the possession or control of United States persons, of:

(a) the foreign persons listed in the Annex to this order;

(b) foreign persons determined by the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State:

(i) to play a significant role in international narcotics trafficking centered in Colombia; or

(ii) materially to assist in, or provide financial or technological support for or goods or services in support of, the narcotics trafficking activities of persons designated in or pursuant to this order; and

(c) persons determined by the Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State, to be owned or controlled by, or to act for or on behalf of, persons designated in or pursuant to this order.

**Sec. 2.** Further, except to the extent provided in section 203(b) of IEEPA and in regulations, orders, directives, or licenses that may be issued pursuant to this order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date, I hereby prohibit the following:

(a) any transaction or dealing by United States persons or within the United States in property or interests in property of the persons designated in or pursuant to this order;

(b) any transaction by any United States person or within the United States that evades or avoids, or has the purpose of evading or avoiding, or attempts to violate, any of the prohibitions set forth in this order.

**Sec. 3.** For the purposes of this order:

(a) the term "person" means an individual or entity;

(b) the term "entity" means a partnership, association, corporation, or other organization, group or subgroup;

(c) the term "United States person" means any United States citizen or national, permanent resident alien, entity organized under the laws of the United States (including foreign branches), or any person in the United States;

(d) the term "foreign person" means any citizen or national of a foreign state (including any such individual who is also a citizen or national of the United States) or any entity not organized solely under the laws of the United States or existing solely in the United States, but does not include a foreign state; and

(e) the term "narcotics trafficking" means any activity undertaken illicitly to cultivate, produce, manufacture, distribute, sell, finance or transport, or otherwise assist, abet, conspire, or collude with others in illicit activities relating to, narcotic drugs, including, but not limited to, cocaine.

**Sec. 4.** The Secretary of the Treasury, in consultation with the Attorney General and the Secretary of State, is hereby authorized to take such actions, including the promulgation of rules and regulations, and to employ

all powers granted to the President by IKEPA as may be necessary to carry out this order. The Secretary of the Treasury may redelegate any of these functions to other officers and agencies of the United States Government. All agencies of the United States Government are hereby directed to take all appropriate measures within their authority to carry out this order.

**Sec. 5.** Nothing contained in this order shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

**Sec. 6. (a)** This order is effective at 12:01 a.m. Eastern Daylight Time on October 22, 1995.

**(b)** This order shall be transmitted to the Congress and published in the *Federal Register*.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*October 21, 1995.*

ANNEX

Gilberto Rodriguez Orejuela  
Miguel Angel Rodriguez Orejuela  
José Santacruz Londoño  
Helmer Herrera Buitrago

**Executive Order 12979 of October 25, 1995**

**Agency Procurement Protests**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to ensure effective and efficient expenditure of public funds and fair and expeditious resolution of protests to the award of Federal procurement contracts, it is hereby ordered as follows:

**Section 1.** Heads of executive departments and agencies ("agencies") engaged in the procurement of supplies and services shall prescribe administrative procedures for the resolution of protests to the award of their procurement contracts as an alternative to protests in fora outside the procuring agencies. Procedures prescribed pursuant to this order shall:

(a) emphasize that whenever conduct of a procurement is contested, all parties should use their best efforts to resolve the matter with agency contracting officers;

(b) to the maximum extent practicable, provide for inexpensive, informal, procedurally simple, and expeditious resolution of protests, including, where appropriate and as permitted by law, the use of alternative dispute resolution techniques, third party neutrals, and another agency's personnel;

(c) allow actual or prospective bidders or offerors whose direct economic interests would be affected by the award or failure to award the contract to request a review, at a level above the contracting officer, of any decision

by a contracting officer that is alleged to have violated a statute or regulation and, thereby, caused prejudice to the protester; and

(d) except where immediate contract award or performance is justified for urgent and compelling reasons or is determined to be in the best interest of the United States, prohibit award or performance of the contract while a timely filed protest is pending before the agency. To allow for the withholding of a contract award or performance, the agency must have received notice of the protest within either 10 calendar days after the contract award or 5 calendar days after the bidder or offeror who is protesting the contract award was given the opportunity to be debriefed by the agency, whichever date is later.

**Sec. 2.** The Administrator for Federal Procurement Policy shall: (a) work with the heads of executive agencies to provide policy guidance and leadership necessary to implement provisions of this order; and

(b) review and evaluate agency experience and performance under this order, and report on any findings to the President within 2 years from the date of this order.

**Sec. 3.** The Administrator of General Services, the Secretary of Defense, and the Administrator of the National Aeronautics and Space Administration, in coordination with the Office of Federal Procurement Policy, shall amend the Federal Acquisition Regulation, 48 C.F.R. 1, within 180 days of the date of this order to further the purposes of this order.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*October 25, 1995.*

#### **Executive Order 12980 of November 17, 1995**

#### **Further Amendment to Executive Order No. 12852, as Amended**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to add four more members to the President's Council on Sustainable Development, it is hereby ordered that Executive Order No. 12852, as amended, is further amended by deleting the number "25" in section 1 of the order and inserting the number "29" in lieu thereof.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*November 17, 1995.*

Executive Order 12981 of December 5, 1995

## Administration of Export Controls

By the authority vested in me as President by the Constitution and the laws of the United States of America, including but not limited to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et. seq.*) ("the Act"), and in order to take additional steps with respect to the national emergency described and declared in Executive Order No. 12924 of August 19, 1994, and continued on August 15, 1995, I, WILLIAM J. CLINTON, President of the United States of America, find that it is necessary for the procedures set forth below to apply to export license applications submitted under the Act and the Export Administration Regulations (15 C.F.R. Part 730 *et. seq.*) ("the Regulations") or under any renewal of, or successor to, the Export Administration Act of 1979, as amended (50 U.S.C. App. 2401 *et. seq.*) ("the Export Administration Act"), and the Regulations. Accordingly, it is hereby ordered as follows:

**Section 1. License Review.** To the extent permitted by law and consistent with Executive Order No. 12924 of August 19, 1994, the power, authority, and discretion conferred upon the Secretary of Commerce ("the Secretary") under the Export Administration Act to require, review, and make final determinations with regard to export licenses, documentation, and other forms of information submitted to the Department of Commerce pursuant to the Act and the Regulations or under any renewal of, or successor to, the Export Administration Act and the Regulations, with the power of successive redelegation, shall continue. The Departments of State, Defense, and Energy, and the Arms Control and Disarmament Agency each shall have the authority to review any export license application submitted to the Department of Commerce pursuant to the Act and the Regulations or under any renewal of, or successor to, the Export Administration Act and the Regulations. The Secretary may refer license applications to other United States Government departments or agencies for review as appropriate. In the event that a department or agency determines that certain types of applications need not be referred to it, such department or agency shall notify the Department of Commerce as to the specific types of such applications that it does not wish to review. All departments or agencies shall promptly respond, on a case-by-case basis, to requests from other departments or agencies for historical information relating to past license applications.

**Sec. 2. Determinations.** (a) All license applications submitted under the Act and the Regulations or any renewal of, or successor to, the Export Administration Act and the Regulations, shall be resolved or referred to the President no later than 90 calendar days after registration of the completed license application.

(b) The following actions related to processing a license application submitted under the Act and the Regulations or any renewal of, or successor to, the Export Administration Act and the Regulations shall not be counted in calculating the time periods prescribed in this order:

(1) *Agreement of the Applicant.* Delays upon which the Secretary and the applicant mutually agree.

(2) *Prelicense Checks.* Prelicense checks through government channels that may be required to establish the identity and reliability of the recipient of items controlled under the Act and the Regulations or any renewal of, or successor to, the Export Administration Act and the Regulations, provided that:

(A) the need for such prelicense check is established by the Secretary, or by another department or agency if the request for prelicense check is made by such department or agency;

(B) the Secretary requests the prelicense check within 5 days of the determination that it is necessary; and

(C) the Secretary completes the analysis of the result of the prelicense check within 5 days.

(3) *Requests for Government-To-Government Assurances.* Requests for government-to-government assurances of suitable end-use of items approved for export under the Act and the Regulations or any renewal of, or successor to, the Export Administration Act and the Regulations, when failure to obtain such assurances would result in rejection of the application, provided that:

(A) the request for such assurances is sent to the Secretary of State within 5 days of the determination that the assurances are required;

(B) the Secretary of State initiates the request of the relevant government within 10 days thereafter; and

(C) the license is issued within 5 days of the Secretary's receipt of the requested assurances. Whenever such prelicense checks and assurances are not requested within the time periods set forth above, they must be accomplished within the time periods established by this section.

(4) *Multilateral Reviews.* Multilateral review of a license application as provided for under the Act and the Regulations or any renewal of, or successor to, the Export Administration Act and the Regulations, as long as multilateral review is required by the relevant multilateral regime.

(5) *Consultations.* Consultation with other governments, if such consultation is provided for by a relevant multilateral regime or bilateral arrangement as a precondition for approving a license.

**Sec. 3. Initial Processing.** Within 9 days of registration of any license application, the Secretary shall, as appropriate:

(a) request additional information from the applicant. The time required for the applicant to supply the additional information shall not be counted in calculating the time periods prescribed in this section.

(b) refer the application and pertinent information to agencies or departments as stipulated in section 1 of this order, and forward to the agencies any relevant information submitted by the applicant that could not be reduced to electronic form.

(c) assure that the stated classification on the application is correct; return the application if a license is not required; and, if referral to other departments or agencies is not required, grant the application or notify the applicant of the Secretary's intention to deny the application.

**Sec. 4. Department or Agency Review.** (a) Each reviewing department or agency shall specify to the Secretary, within 10 days of receipt of a referral

as specified in subsection 3(b), any information not in the application that would be required to make a determination, and the Secretary shall promptly request such information from the applicant. If, after receipt of the information so specified or other new information, a reviewing department or agency concludes that additional information would be required to make a determination, it shall promptly specify that additional information to the Secretary, and the Secretary shall promptly request such information from the applicant. The time that may elapse between the date the information is requested by the reviewing department or agency and the date the information is received by the reviewing department or agency shall not be counted in calculating the time periods prescribed in this order. Such information specified by reviewing departments or agencies is in addition to any information that may be requested by the Department of Commerce on its own initiative during the first 9 days after registration of an application.

(b) Within 30 days of receipt of a referral and all required information, a department or agency shall provide the Secretary with a recommendation either to approve or deny the license application. As appropriate, such recommendation may be with the benefit of consultation and discussions in interagency groups established to provide expertise and coordinate interagency consultation. A recommendation that the Secretary deny a license shall include a statement of the reasons for such recommendation that are consistent with the provisions of the Act and the Regulations or any renewal of, or successor to, the Export Administration Act and the Regulations and shall cite both the statutory and the regulatory bases for the recommendation to deny. A department or agency that fails to provide a recommendation within 30 days with a statement of reasons and the statutory and regulatory bases shall be deemed to have no objection to the decision of the Secretary.

**Sec. 5. Interagency Dispute Resolution.** (a) *Committees.* (1)(A) *Export Administration Review Board.* The Export Administration Review Board ("the Board"), which was established by Executive Order No. 11533 of June 4, 1970, and continued in Executive Order No. 12002 of July 7, 1977, is hereby continued. The Board shall have as its members, the Secretary, who shall be Chair of the Board, the Secretary of State, the Secretary of Defense, the Secretary of Energy, and the Director of the Arms Control and Disarmament Agency. The Chairman of the Joint Chiefs of Staff and the Director of Central Intelligence shall be nonvoting members of the Board. No alternate Board members shall be designated, but the acting head or deputy head of any member department or agency may serve in lieu of the head of the concerned department or agency. The Board may invite the heads of other United States Government departments or agencies, other than the departments or agencies represented by the Board members, to participate in the activities of the Board when matters of interest to such departments or agencies are under consideration.

(B) The Secretary may, from time to time, refer to the Board such particular export license matters, involving questions of national security or other major policy issues, as the Secretary shall select. The Secretary shall also refer to the Board any other such export license matter, upon the request of any other member of the Board or the head of any other United States Government department or agency having any interest in such matter. The Board shall consider the matters so referred to it, giving due con-

sideration to the foreign policy of the United States, the national security, the domestic economy, and concerns about the proliferation of armaments, weapons of mass destruction, missile delivery systems, and advanced conventional weapons and shall make recommendations thereon to the Secretary.

(2) *Advisory Committee on Export Policy.* An Advisory Committee on Export Policy ("ACEP") is established and shall have as its members the Assistant Secretary of Commerce for Export Administration, who shall be Chair of the ACEP, and Assistant Secretary-level representatives of the Departments of State, Defense, and Energy, and the Arms Control and Disarmament Agency. Appropriate representatives of the Joint Chiefs of Staff and of the Nonproliferation Center of the Central Intelligence Agency shall be nonvoting members of the ACEP. Representatives of the departments or agencies shall be the appropriate Assistant Secretary or equivalent (or appropriate acting Assistant Secretary or equivalent in lieu of the Assistant Secretary or equivalent) of the concerned department or agency, or appropriate Deputy Assistant Secretary or equivalent (or the appropriate acting Deputy Assistant Secretary or equivalent in lieu of the Deputy Assistant Secretary or equivalent) of the concerned department or agency. Regardless of the department or agency representative's rank, such representative shall speak and vote at the ACEP on behalf of the appropriate Assistant Secretary or equivalent of such department or agency. The ACEP may invite Assistant Secretary-level representatives of other United States Government departments or agencies, other than the departments and agencies represented by the ACEP members, to participate in the activities of the ACEP when matters of interest to such departments or agencies are under consideration.

(3)(A) *Operating Committee.* An Operating Committee ("OC") of the ACEP is established. The Secretary shall appoint its Chair, who shall also serve as Executive Secretary of the ACEP. Its other members shall be representatives of appropriate agencies in the Departments of Commerce, State, Defense, and Energy, and the Arms Control and Disarmament Agency. The appropriate representatives of the Joint Chiefs of Staff and the Nonproliferation Center of the Central Intelligence Agency shall be nonvoting members of the OC. The OC may invite representatives of other United States Government departments or agencies, other than the departments and agencies represented by the OC members, to participate in the activities of the OC when matters of interest to such departments or agencies are under consideration.

(B) The OC shall review all license applications on which the reviewing departments and agencies are not in agreement. The Chair of the OC shall consider the recommendations of the reviewing departments and agencies and inform them of his or her decision on any such matters within 14 days after the deadline for receiving department and agency recommendations. As described below, any reviewing department or agency may appeal the decision of the Chair of the OC to the Chair of the ACEP. In the absence of a timely appeal, the Chair's decision will be final.

(b) *Resolution Procedures.* (1) If any department or agency disagrees with a licensing determination of the Department of Commerce made through the OC, it may appeal the matter to the ACEP for resolution. A department or agency must appeal a matter within 5 days of such a decision. Appeals must be in writing from an official appointed by the President by and with

the advice and consent of the Senate, or an officer properly acting in such capacity, and must cite both the statutory and the regulatory bases for the appeal. The ACEP shall review all departments' and agencies' information and recommendations, and the Chair of the ACEP shall inform the reviewing departments and agencies of the majority vote decision of the ACEP within 11 days from the date of receiving notice of the appeal. Within 5 days of the majority vote decision, any dissenting department or agency may appeal the decision by submitting a letter from the head of the department or agency to the Secretary in his or her capacity as the Chair of the Board. Such letter shall cite both the statutory and the regulatory bases for the appeal. Within the same period of time, the Secretary may call a meeting on his or her own initiative to consider a license application. In the absence of a timely appeal, the majority vote decision of the ACEP shall be final.

(2) The Board shall review all departments' and agencies' information and recommendations, and such other export control matters as may be appropriate. The Secretary shall inform the reviewing departments and agencies of the majority vote of the Board within 11 days from the date of receiving notice of appeal. Within 5 days of the decision, any department or agency dissenting from the majority vote decision of the Board may appeal the decision by submitting a letter from the head of the dissenting department or agency to the President. In the absence of a timely appeal, the majority vote decision of the Board shall be final.

**Sec. 6.** The license review process in this order shall take effect beginning with those license applications registered by the Secretary 60 days after the date of this order and shall continue in effect to the extent not inconsistent with any renewal of the Export Administration Act, or with any successor to that Act.

**Sec. 7. Judicial Review.** This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any rights to administrative or judicial review, or any other right or benefit or trust responsibility, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*December 5, 1995.*

**Executive Order 12982 of December 8, 1995**

## **Ordering the Selected Reserve of the Armed Forces to Active Duty**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 121 and 12304 of title 10, United States Code, I hereby determine that it is necessary to augment the active armed forces of the United States for the effective conduct of operations in and around former Yugoslavia. Further, under the stated authority, I hereby authorize the Secretary of Defense, and the Secretary of Trans-



portation with respect to the Coast Guard when it is not operating as a service in the Department of the Navy, to order to active duty any units, and any individual members not assigned to a unit organized to serve as a unit, of the Selected Reserve.

This order is intended only to improve the internal management of the executive branch and is not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

This order shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*December 8, 1995.*

#### **Executive Order 12983 of December 21, 1995**

#### **Amendment to Executive Order No. 12871**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to improve the functioning of the National Partnership Council, it is hereby ordered that Executive Order No. 12871, entitled "Labor-Management Partnerships," ("the order") is amended as follows:

**Section 1.** Section 1(a) of the order is amended to delete "and" at the end of item (9), delete the period at the end of item (10), add "; and" at the end of item (10), and add item "(11) one elected office holder each from both the Senior Executives Association and the Federal Managers Association."

**Sec. 2.** Section 1(b) of the order is amended to delete "and" at the end of item (4), delete the period at the end of item (5), add "; and" at the end of item (5), and add "(6) reporting to the President by October 1996 on the progress of and results achieved through labor-management partnership throughout the executive branch."

**Sec. 3.** Section 1(c)(2) of the order is revised to read: "(2) The Council shall seek input from nonmember Federal agencies, particularly smaller agencies. It also may, from time to time, invite experts from the private and public sectors to submit information. The Council shall also seek input from Federal manager and professional associations, companies, nonprofit organizations, State and local governments, Federal employees, and customers of Federal services, as needed."

**Sec. 4.** Section 1(c)(4) of the order is revised to read: "(4) Members of the Council shall serve without compensation for their work on the Council, but may be allowed travel expenses, including per diem in lieu of subsist-

once, as authorized by law, for persons serving intermittently in Government service."

WILLIAM J. CLINTON

THE WHITE HOUSE,  
December 21, 1995.

**Executive Order 12984 of December 28, 1995**

**Adjustments of Certain Rates of Pay and Allowances**

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 704 of Public Law 101-194; section 301(a) of Public Law 102-40; section 633 of Public Law 104-52; section 31 of title 2, United States Code; section 104 of title 3, United States Code; sections 5303, 5304, 5304a, 5318, and 5382 of title 5, United States Code; section 3963 of title 22, United States Code; section 461(a) of title 28, United States Code; and section 1009 of title 37, United States Code; and sections 7306 and 7404 of title 38, United States Code, it is hereby ordered as follows:

**Section 1. Statutory Pay Systems.** The rates of basic pay or salaries of the statutory pay systems (as defined in 5 U.S.C. 5302(1)), as adjusted under 5 U.S.C. 5303(b), are set forth on the schedules attached hereto and made a part hereof:

(a) The General Schedule (5 U.S.C. 5332(a)) at Schedule 1;

(b) The Foreign Service Schedule (22 U.S.C. 3963) at Schedule 2; and

(c) The schedules for the Veterans Health Administration of the Department of Veterans Affairs (38 U.S.C. 7306, 7404; section 301(a) of Public Law 102-40) at Schedule 3.

**Sec. 2. Senior Executive Service.** The rates of basic pay for senior executives in the Senior Executive Service, as adjusted under 5 U.S.C. 5382, are set forth on Schedule 4 attached hereto and made a part hereof.

**Sec. 3. Executive Salaries.** The rates of basic pay or salaries for the following offices and positions, which remain unchanged pursuant to section 633 of Public Law 104-52, are set forth on the schedules attached hereto and made a part hereof:

(a) The Executive Schedule (5 U.S.C. 5312-5318) at Schedule 5;

(b) The Vice President (3 U.S.C. 104) and the Congress (2 U.S.C. 31) at Schedule 6; and

(c) Justices and judges (28 U.S.C. 5, 44(d), 135, 252, and 461(a)) at Schedule 7.

**Sec. 4. Uniformed Services.** Pursuant to section 1009 of title 37, United States Code, the rates of monthly basic pay (37 U.S.C. 203(a)), the rates of basic allowances for subsistence (37 U.S.C. 402), and the rates of basic allowances for quarters (37 U.S.C. 403(a)) for members of the uniformed services and the rate of monthly cadet or midshipman pay (37 U.S.C. 203(c)(1)) are set forth on Schedule 8 attached hereto and made a part hereof.

**Sec. 5. *Locality-Based Comparability Payments.*** (a) Pursuant to sections 5304 and 5304a of title 5, United States Code, locality-based comparability payments shall be paid in accordance with Schedule 9 attached hereto and made a part hereof.

(b) The Director of the Office of Personnel Management shall take such actions as may be necessary to implement these payments and to publish appropriate notice of such payments in the **Federal Register**.

**Sec. 6. *Effective Dates.*** Schedule 8 is effective on January 1, 1996. The other schedules contained herein are effective on the first day of the first applicable pay period beginning on or after January 1, 1996.

**Sec. 7. *Prior Order Superseded.*** Executive Order No. 12944 of December 28, 1994, is superseded.

WILLIAM J. CLINTON

THE WHITE HOUSE,

December 28, 1995.

**SCHEDULE 1--GENERAL SCHEDULE**

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1996)

**Executive Orders**

**EO 12984**

	1	2	3	4	5	6	7	8	9	10
GS-1	\$12,384	\$12,797	\$13,208	\$13,619	14,032	\$14,274	\$14,679	\$15,089	\$15,107	15,489
2	13,923	14,255	14,717	15,107	15,274	15,723	16,172	16,621	17,070	17,519
3	15,193	15,699	16,205	16,711	17,217	17,723	18,229	18,735	19,241	19,747
4	17,055	17,624	18,193	18,762	19,331	19,900	20,469	21,038	21,607	22,176
5	19,081	19,717	20,353	20,989	21,625	22,261	22,897	23,533	24,169	24,805
6	21,269	21,978	22,687	23,396	24,105	24,814	25,523	26,232	26,941	27,650
7	23,634	24,422	25,210	25,998	26,786	27,574	28,362	29,150	29,938	30,726
8	26,175	27,048	27,921	28,794	29,667	30,540	31,413	32,286	33,159	34,032
9	28,912	29,876	30,840	31,804	32,768	33,732	34,696	35,660	36,624	37,588
10	31,839	32,900	33,961	35,022	36,083	37,144	38,205	39,266	40,327	41,388
11	34,981	36,147	37,313	38,479	39,645	40,811	41,977	43,143	44,309	45,475
12	41,926	43,324	44,722	46,120	47,518	48,916	50,314	51,712	53,110	54,508
13	49,856	51,518	53,180	54,842	56,504	58,166	59,828	61,490	63,152	64,814
14	58,915	60,879	62,843	64,807	66,771	68,735	70,699	72,663	74,627	76,591
15	69,300	71,610	73,920	76,230	78,540	80,850	83,160	85,470	87,780	90,090

## SCHEDULE 2--FOREIGN SERVICE SCHEDULE

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1996)

Step	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7	Class 8	Class 9
1	\$69,300	\$56,154	\$45,502	\$36,870	\$29,876	\$26,708	\$23,876	\$21,344	\$19,081
2	71,379	57,839	46,867	37,976	30,772	27,509	24,592	21,984	19,653
3	73,520	59,574	48,273	39,115	31,695	28,335	25,330	22,644	20,243
4	75,726	61,361	49,721	40,289	32,646	29,185	26,030	23,323	20,850
5	77,998	63,202	51,213	41,498	33,626	30,060	26,873	24,023	21,476
6	80,338	65,098	52,749	42,742	34,634	30,962	27,679	24,744	22,120
7	82,748	67,051	54,332	44,025	35,674	31,891	28,509	25,486	22,784
8	85,230	69,062	55,962	45,345	36,744	32,847	29,364	26,250	23,467
9	87,787	71,134	57,641	46,706	37,846	33,833	30,245	27,038	24,171
10	90,090	73,268	59,370	48,107	38,981	34,848	31,153	27,849	24,896
11	90,090	75,466	61,151	49,550	40,151	35,893	32,087	28,685	25,643
12	90,090	77,730	62,985	51,037	41,355	36,970	33,050	29,545	26,413
13	90,090	80,062	64,875	52,568	42,596	38,079	34,041	30,431	27,205
14	90,090	82,464	66,821	54,145	43,874	39,222	35,063	31,344	28,021

# Executive Orders

EO 12984

## SCHEDULE 3--VETERANS HEALTH ADMINISTRATION SCHEDULES DEPARTMENT OF VETERANS AFFAIRS

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 1996)

Schedule for the Office of the Under Secretary for Health (38 U.S.C. 7306)\*

Deputy Under Secretary for Health . . . . .	\$117,692**
Associate Deputy Under Secretary for Health . . . . .	112,726***
Assistant Under Secretaries for Health. . . . .	109,404***

	<u>Minimum</u>	<u>Maximum</u>
Medical Directors . . . . .	\$93,344	\$105,792
Service Directors . . . . .	81,278	100,939
Director, National Center for Preventive Health . . . . .	69,300	100,939

### Physician and Dentist Schedule

Director Grade. . . . .	\$81,278	\$100,939
Executive Grade . . . . .	75,051	95,649
Chief Grade . . . . .	69,300	90,090
Senior Grade. . . . .	58,915	76,591
Intermediate Grade. . . . .	49,856	64,814
Full Grade. . . . .	41,926	54,508
Associate Grade . . . . .	34,981	45,475

### Clinical Podiatrist and Optometrist Schedule

Chief Grade . . . . .	\$69,300	\$90,090
Senior Grade. . . . .	58,915	76,591
Intermediate Grade. . . . .	49,856	64,814
Full Grade. . . . .	41,926	54,508
Associate Grade . . . . .	34,981	45,475

### Physician Assistant and Expanded-Function Dental Auxiliary Schedule\*\*\*\*

Director Grade. . . . .	\$69,300	\$90,090
Assistant Director Grade. . . . .	58,915	76,591
Chief Grade . . . . .	49,856	64,814
Senior Grade. . . . .	41,926	54,508
Intermediate Grade. . . . .	34,981	45,475
Full Grade. . . . .	28,912	37,588
Associate Grade . . . . .	24,880	32,341
Junior Grade. . . . .	21,269	27,650

This schedule does not apply to the Assistant Under Secretary for Nursing Programs or the Director of Nursing Service. Pay for these positions is set by the Under Secretary for Health under 38 U.S.C. 7451.

- \* Pursuant to section 7404(d)(1) of title 38, United States Code, the rate of basic pay payable to this employee is limited to the rate for level IV of the Executive Schedule, which is \$115,700.
- \*\* Pursuant to section 7404(d)(2) of title 38, United States Code, the rate of basic pay payable to these employees is limited to the rate for level V of the Executive Schedule, which is \$108,200.
- \*\*\* Pursuant to section 301(a) of Public Law 102-40, these positions are paid according to the Nurse Schedule in 38 U.S.C. 4107(b) as in effect on August 14, 1990, with subsequent adjustments.

## Title 3—The President

## SCHEDULE 4--SENIOR EXECUTIVE SERVICE

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 1996)

ES-1 . . . . .	\$94,800
ES-2 . . . . .	99,300
ES-3 . . . . .	103,800
ES-4 . . . . .	109,400
ES-5 . . . . .	114,000
ES-6 . . . . .	115,700

## SCHEDULE 5--EXECUTIVE SCHEDULE

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 1996)

level I . . . . .	\$148,400
level II . . . . .	133,600
level III . . . . .	123,100
level IV . . . . .	115,700
level V . . . . .	108,200

## SCHEDULE 6--VICE PRESIDENT AND MEMBERS OF CONGRESS

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 1996)

Vice President . . . . .	\$171,500
Senators . . . . .	133,600
Members of the House of Representatives . . . . .	133,600
Delegates to the House of Representatives . . . . .	133,600
Resident Commissioner from Puerto Rico . . . . .	133,600
President pro tempore of the Senate . . . . .	148,400
Majority leader and minority leader of the Senate . . . . .	148,400
Majority leader and minority leader of the House of Representatives . . . . .	148,400
Speaker of the House of Representatives . . . . .	171,500

## SCHEDULE 7--JUDICIAL SALARIES

(Effective on the first day of the first applicable pay period  
beginning on or after January 1, 1996)

Chief Justice of the United States . . . . .	\$171,500
Associate Justices of the Supreme Court . . . . .	164,100
Circuit Judges . . . . .	141,700
District Judges . . . . .	133,600
Judges of the Court of International Trade . . . . .	133,600

**SCHEDULE 8--PAY AND ALLOWANCES OF THE UNIFORMED SERVICES**  
(Effective on January 1, 1996)

**Part I--MONTHLY BASIC PAY**

**YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)**

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 24	Over 26	
COMMISSIONED OFFICERS																
O-10**	\$7,117.80	\$7,368.30	\$7,368.30	\$7,368.30	\$7,368.30	\$7,651.20	\$7,651.20	\$8,075.10	\$8,075.10	\$8,552.60	\$8,552.60	\$9,231.90*	\$9,231.90*	\$9,231.90*	\$9,807.00*	
O-9	\$6,308.10	\$6,473.40	\$6,611.40	\$6,611.40	\$6,611.40	\$6,779.40	\$6,779.40	\$7,061.70	\$7,061.70	\$7,551.20	\$7,551.20	\$8,075.10	\$8,075.10	\$8,075.10	\$8,652.60	
O-8	\$5,713.50	\$5,885.10	\$6,024.60	\$6,024.60	\$6,024.60	\$6,473.40	\$6,473.40	\$6,779.40	\$6,779.40	\$7,368.30	\$7,368.30	\$7,839.60	\$7,839.60	\$7,839.60	\$8,522.60	
O-7	\$4,747.50	\$5,070.30	\$5,070.30	\$5,070.30	\$5,070.30	\$5,297.70	\$5,297.70	\$5,604.60	\$5,604.60	\$6,473.40	\$6,473.40	\$6,918.60	\$6,918.60	\$6,918.60	\$7,524.50	
O-6	\$3,818.70	\$4,066.10	\$4,119.30	\$4,119.30	\$4,119.30	\$4,313.80	\$4,313.80	\$4,593.50	\$4,593.50	\$5,184.50	\$5,184.50	\$5,604.60	\$5,604.60	\$5,604.60	\$6,078.60	
O-5	\$2,977.30	\$3,188.70	\$3,276.90	\$3,276.90	\$3,276.90	\$3,438.30	\$3,438.30	\$3,697.50	\$3,697.50	\$4,245.90	\$4,245.90	\$4,722.90	\$4,722.90	\$4,722.90	\$5,078.50	
O-4	\$2,374.10	\$2,584.80	\$2,683.10	\$2,683.10	\$2,683.10	\$2,800.70	\$2,800.70	\$3,050.70	\$3,050.70	\$3,425.90	\$3,425.90	\$3,742.90	\$3,742.90	\$3,742.90	\$4,012.90	
O-3***	\$2,204.40	\$2,484.80	\$2,540.30	\$2,540.30	\$2,540.30	\$2,654.40	\$2,654.40	\$2,900.70	\$2,900.70	\$3,386.50	\$3,386.50	\$3,686.50	\$3,686.50	\$3,686.50	\$3,886.50	
O-2***	\$1,922.40	\$2,099.10	\$2,222.40	\$2,222.40	\$2,222.40	\$2,354.00	\$2,354.00	\$2,661.00	\$2,661.00	\$3,166.00	\$3,166.00	\$3,586.50	\$3,586.50	\$3,586.50	\$3,786.50	
O-1***	\$1,668.90	\$1,737.30	\$2,099.10	\$2,099.10	\$2,099.10	\$2,099.10	\$2,099.10	\$2,099.10	\$2,099.10	\$2,099.10	\$2,099.10	\$2,099.10	\$2,099.10	\$2,099.10	\$2,099.10	

**COMMISSIONED OFFICERS WITH OVER 4 YEARS OF ACTIVE DUTY SERVICE  
AS AN ENLISTED MEMBER OR WARRANT OFFICER**

O-3E	-	-	-	-	\$2,915.40	\$3,054.90	\$3,164.40	\$3,335.70	\$3,500.70	\$3,639.90	\$3,639.90	\$3,639.90	\$3,639.90	\$3,639.90	\$3,639.90
O-2E	-	-	-	-	2,607.00	2,661.00	2,745.30	2,888.70	2,999.40	3,081.30	3,081.30	3,081.30	3,081.30	3,081.30	3,081.30
O-1E	-	-	-	-	2,099.10	2,243.10	2,325.60	2,409.90	2,493.30	2,607.00	2,607.00	2,607.00	2,607.00	2,607.00	2,607.00

\* Basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule, which is \$9,016.80 per month.

\*\* While serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, or Commandant of the Marine Corps, basic pay for this grade is calculated to be \$10,860 per month. The maximum number of cumulative years of service computed under section 205 of title 37, United States Code. Nevertheless, actual basic pay for these officers is limited to the rate of basic pay for level V of the Executive Schedule, which is \$9,016.80 per month.

\*\*\* Does not apply to commissioned officers who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.



## SCHEDULE 8--PAY AND ALLOWANCES OF THE UNIFORMED SERVICES (PAGE 2)

## YEARS OF SERVICE (COMPUTED UNDER 37 U.S.C. 205)

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6	Over 8	Over 10	Over 12	Over 14	Over 16	Over 18	Over 20	Over 22	Over 24	Over 26
W-5	\$2,246.10	\$2,409.90	\$2,409.90	\$2,464.80	\$2,576.70	\$2,690.40	\$2,803.20	\$2,999.40	\$3,138.60	\$3,248.70	\$3,335.70	\$3,833.10	\$3,978.30	\$4,093.50	\$4,265.70
W-4	\$2,061.20	\$2,214.30	\$2,214.30	\$2,243.10	\$2,268.90	\$2,435.10	\$2,576.70	\$2,661.00	\$2,745.30	\$2,827.50	\$2,915.40	\$3,029.10	\$3,138.60	\$3,248.70	\$3,369.60
W-3	\$1,788.90	\$1,734.80	\$1,734.80	\$1,757.30	\$1,850.50	\$1,934.10	\$2,039.10	\$2,182.90	\$2,268.90	\$2,353.50	\$2,438.70	\$2,523.40	\$2,608.00	\$2,692.50	\$2,784.70
W-2	\$1,489.20	\$1,707.30	\$1,707.30	\$1,850.50	\$1,934.10	\$2,039.10	\$2,182.90	\$2,268.90	\$2,353.50	\$2,438.70	\$2,523.40	\$2,608.00	\$2,692.50	\$2,784.70	\$2,881.10
W-1	\$1,489.20	\$1,707.30	\$1,707.30	\$1,850.50	\$1,934.10	\$2,039.10	\$2,182.90	\$2,268.90	\$2,353.50	\$2,438.70	\$2,523.40	\$2,608.00	\$2,692.50	\$2,784.70	\$2,881.10

## WARRANT OFFICERS

## ENLISTED MEMBERS

E-9*	-	-	-	-	-	\$2,613.00	\$2,671.50	\$2,732.10	\$2,794.80	\$2,857.50	\$2,912.70	\$3,065.40	\$3,184.80	\$3,363.90
E-8	-	-	-	-	-	\$2,190.90	\$2,253.90	\$2,313.30	\$2,373.30	\$2,436.00	\$2,493.80	\$2,553.00	\$2,703.00	\$2,823.60
E-7	\$1,529.70	\$1,651.50	\$1,712.40	\$1,772.70	\$1,833.00	\$1,891.50	\$1,952.10	\$2,013.00	\$2,103.90	\$2,163.30	\$2,223.30	\$2,252.40	\$2,403.60	\$2,523.30
E-6	\$1,316.10	\$1,434.60	\$1,494.30	\$1,557.90	\$1,616.40	\$1,678.30	\$1,735.80	\$1,825.20	\$1,882.50	\$1,943.50	\$1,972.80	\$1,972.80	\$1,972.80	\$1,972.80
E-5	\$1,077.00	\$1,137.50	\$1,204.80	\$1,269.50	\$1,348.80	\$1,428.80	\$1,488.80	\$1,548.80	\$1,608.80	\$1,668.80	\$1,728.80	\$1,728.80	\$1,728.80	\$1,728.80
E-4	\$1,014.90	\$1,070.70	\$1,133.30	\$1,197.40	\$1,257.40	\$1,317.40	\$1,377.40	\$1,437.40	\$1,497.40	\$1,557.40	\$1,617.40	\$1,677.40	\$1,737.40	\$1,797.40
E-3	\$1,014.90	\$1,070.70	\$1,133.30	\$1,197.40	\$1,257.40	\$1,317.40	\$1,377.40	\$1,437.40	\$1,497.40	\$1,557.40	\$1,617.40	\$1,677.40	\$1,737.40	\$1,797.40
E-2	\$1,014.90	\$1,070.70	\$1,133.30	\$1,197.40	\$1,257.40	\$1,317.40	\$1,377.40	\$1,437.40	\$1,497.40	\$1,557.40	\$1,617.40	\$1,677.40	\$1,737.40	\$1,797.40
E-1**	\$1,014.90	\$1,070.70	\$1,133.30	\$1,197.40	\$1,257.40	\$1,317.40	\$1,377.40	\$1,437.40	\$1,497.40	\$1,557.40	\$1,617.40	\$1,677.40	\$1,737.40	\$1,797.40
E-1***	\$1,014.90	\$1,070.70	\$1,133.30	\$1,197.40	\$1,257.40	\$1,317.40	\$1,377.40	\$1,437.40	\$1,497.40	\$1,557.40	\$1,617.40	\$1,677.40	\$1,737.40	\$1,797.40

\* While serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy or Coast Guard, Chief Master Sergeant of the Air Force, or Sergeant Major of the Marine Corps, basic pay for this grade is \$4,104.90, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

\*\* Applies to personnel who have served 4 months or more on active duty.

\*\*\* Applies to personnel who have served less than 4 months on active duty.

# Executive Orders

EO 12984

## SCHEDULE 8--PAY AND ALLOWANCES OF THE UNIFORMED SERVICES (PAGE 3)

### Part II--BASIC ALLOWANCE FOR QUARTERS RATES

Pay Grade	Without dependents		With dependents
	Full rate*	Partial rate**	
COMMISSIONED OFFICERS			
O-10	\$764.40	\$50.70	\$941.10
O-9	764.40	50.70	941.10
O-8	764.40	50.70	941.10
O-7	764.40	50.70	941.10
O-6	701.40	39.60	847.20
O-5	675.30	33.00	816.60
O-4	626.10	26.70	720.00
O-3	501.90	22.20	595.80
O-2	397.80	17.70	508.80
O-1	335.10	13.20	454.80

### COMMISSIONED OFFICERS WITH OVER 4 YEARS OF ACTIVE DUTY SERVICE AS AN ENLISTED MEMBER OR WARRANT OFFICER

O-3E	\$541.50	\$22.20	\$640.20
O-2E	460.50	17.70	577.80
O-1E	396.00	13.20	533.70

### WARRANT OFFICERS

W-5	\$636.00	\$25.20	\$694.80
W-4	564.90	25.20	637.20
W-3	474.60	20.70	583.80
W-2	421.50	15.90	537.00
W-1	352.80	13.80	464.40

### ENLISTED MEMBERS

E-9	\$463.80	\$18.60	\$611.40
E-8	426.00	15.30	563.70
E-7	363.60	12.00	523.20
E-6	329.40	9.90	483.90
E-5	303.60	8.70	434.70
E-4	264.00	8.10	378.30
E-3	259.20	7.80	351.90
E-2	210.60	7.20	335.10
E-1>4	187.50	6.90	335.10
E-1<4	187.50	6.90	335.10

- \* Payment of the full rate of basic allowance for quarters at these rates to members of the uniformed services without dependents is authorized by section 403 of title 37, United States Code, and Part IV of Executive Order 11157, as amended.
- \*\* Payment of the partial rate of basic allowance for quarters at these rates to members of the uniformed services without dependents who, under section 403(b) or (c) of title 37, United States Code, are not entitled to the full rate of basic allowance for quarters, is authorized by section 1009(c) (2) of title 37, United States Code, and Part IV of Executive Order 11157, as amended.

### Part III--BASIC ALLOWANCE FOR SUBSISTENCE

Officers (per month)		\$149.08
Enlisted Members (per day):		
	E-1 (less than 4 months of active duty)	All Other Enlisted
When on leave or authorized to mess separately	\$6.57	\$7.12
When rations in-kind are not available	7.41	8.03
When assigned to duty under emergency conditions where no messing facilities of the United States are available	9.82	10.63

### Part IV--RATE OF MONTHLY CADET OR MIDSHIPMAN PAY

The rate of monthly cadet or midshipman pay authorized by section 203(c) (1) of title 37, United States Code, is \$558.04.

## Title 3—The President

## SCHEDULE 3--LOCALITY-BASED COMPARABILITY PAYMENTS

(Effective on the first day of the first applicable pay period beginning on or after January 1, 1996)

Locality Pay Area <sup>1</sup>	Rate
Atlanta, GA.....	5.14¢
Boston-Worcester-Lawrence, MA-NH-ME-CT.....	7.68¢
Chicago-Gary-Kenosha, IL-IN-WI.....	7.63¢
Cincinnati-Hamilton, OH-KY-IN.....	5.87¢
Cleveland-Akron, OH.....	4.67¢
Columbus, OH.....	5.84¢
Dallas-Fort Worth, TX.....	6.23¢
Dayton-Springfield, OH.....	5.72¢
Denver-Boulder-Greeley, CO.....	6.34¢
Detroit-Ann Arbor-Flint, MI.....	7.26¢
Houston-Galveston-Brasoria, TX.....	9.40¢
Huntsville, AL.....	4.84¢
Indianapolis, IN.....	5.04¢
Kansas City, MO-KS.....	4.38¢
Los Angeles-Riverside-Orange County, CA.....	8.15¢
Miami-Port Lauderdale, FL.....	5.94¢
New York-Northern New Jersey-Long Island, NY-NJ-CT-PA.....	8.05¢
Philadelphia-Wilmington-Atlantic City, PA-NJ-DE-MD.....	6.90¢
Portland-Salem, OR-WA.....	5.20¢
Richmond-Petersburg, VA.....	4.41¢
Sacramento-Yolo, CA.....	5.81¢
St. Louis, MO-IL.....	4.72¢
San Diego, CA.....	6.76¢
San Francisco-Oakland-San Jose, CA.....	8.97¢
Seattle-Tacoma-Bremerton, WA.....	6.44¢
Washington-Baltimore, DC-MD-VA-WV.....	6.04¢
Rest of U.S. ....	4.13¢

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<sup>1</sup>Locality Pay Areas are defined in 5 CFR 531.603.

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## OTHER PRESIDENTIAL DOCUMENTS

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### Subchapter B—Administrative Orders

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**Memorandum of January 4, 1995**

#### **Delegation of Authority Under Section 527(b) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995**

##### *Memorandum for the Secretary of the Treasury*

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby delegate to the Secretary of the Treasury the functions under section 527(b) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236).

Any reference in this memorandum to any Act, order, determination, or delegation of authority shall be deemed to be a reference to such Act, order, determination, or delegation of authority as amended.

The functions delegated by this memorandum may be redelegated within the Department of the Treasury.

### **Title 3—The President**

You are authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, January 4, 1995.*

#### **Presidential Determination No. 95-14 of February 6, 1995**

### **Use of Peacekeeping Operations Account Funds for Enforcing the Serbia and Montenegro Sanctions Program**

#### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by section 614(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2364(a)(1) (the "Act"), I hereby determine that it is important to the security interests of the United States to furnish up to \$17 million in funds made available under chapter 6 of part II of the Act for fiscal year 1995 to furnish assistance for enforcing the Serbia and Montenegro sanctions program without regard to any provision of law within the scope of section 614(a)(1), including section 660 of the Act. I hereby authorize the furnishing of such assistance.

You are hereby authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, February 6, 1995.*

#### **Memorandum of February 7, 1995**

### **Deterring Illegal Immigration**

#### *Memorandum for the Heads of Executive Departments and Agencies*

It is a fundamental right and duty for a nation to protect the integrity of its borders and its laws. This Administration shall stand firm against illegal immigration and the continued abuse of our immigration laws. By closing the back door to illegal immigration, we will continue to open the front door to legal immigrants.

My Administration has moved swiftly to reverse the course of a decade of failed immigration policies. Our initiatives have included increasing overall Border personnel by over 50 percent since 1993. We also are strengthening worksite enforcement and work authorization verification to deter employment of illegal aliens. Asylum rules have been reformed to end abuse by those falsely claiming asylum, while offering protection to those in genuine fear of persecution. We are cracking down on smugglers of illegal aliens and reforming criminal alien deportation for quicker removal. And we are the first Administration to obtain funding to reimburse States for a share of the costs of incarcerating criminal illegal aliens.

## Other Presidential Documents

While we already are doing more to stem the flow of illegal immigration than has any previous Administration, more remains to be done. In conjunction with the Administration's unprecedented budget proposal to support immigration initiatives, this directive provides a blueprint of policies and priorities for this Administration's continuing work to curtail illegal immigration. With its focus on strong border deterrence backed up by effective worksite enforcement, removal of criminal and other deportable aliens and assistance to states, this program protects the security of our borders, our jobs and our communities for all Americans—citizens and legal immigrants alike.

### COMPREHENSIVE BORDER CONTROL STRATEGY

#### *A. Deterring Illegal Immigration At Our Borders*

I have directed the Attorney General to move expeditiously toward full implementation of our comprehensive border control strategy, including efforts at the southwest border. To support sustained long-term strengthening of our deterrence capacity, the Administration shall seek funding to add new Border Patrol agents to reach the goal of at least 7,000 agents protecting our borders by the year 2000.

##### *Flexible Border Response Capacity*

To further this strategy, the Department of Justice shall implement the capacity to respond to emerging situations anywhere along our national borders to deter buildups of illegal border crossers, smuggling operations, or other developing problems.

##### *Strategic Use of High Technology*

Through the strategic use of sensors, night scopes, helicopters, light planes, all-terrain vehicles, fingerprinting and automated recordkeeping, we have freed many Border Patrol agents from long hours of bureaucratic tasks and increased the effectiveness of these highly-trained personnel. Because these tools are essential for the Immigration and Naturalization Service (INS) to do its job, I direct the Attorney General to accelerate to the greatest extent possible their utilization and enhancement to support implementation of our deterrence strategy.

##### *Strong Enforcement Against Repeat Illegal Crossers*

The Department of Justice shall assess the effectiveness of efforts underway to deter repeat illegal crossers, such as fingerprinting and dedicating prosecution resources to enforce the new prosecution authority provided by the Violent Crime Control and Law Enforcement Act of 1994.

The Department of Justice shall determine whether accelerated expansion of these techniques to additional border sectors is warranted.

#### *B. Deterring Alien Smuggling*

This Administration has had success deterring large ship-based smuggling directly to United States shores. In response, smugglers are testing new routes and tactics. Our goal: similar success in choking off these attempts by adjusting our anti-smuggling initiatives to anticipate shifting smuggling patterns.

### **Title 3—The President**

To meet new and continuing challenges posed along transport routes and in foreign locations by smuggling organizations, we will augment diplomatic and enforcement resources at overseas locations to work with host governments, and increase related intelligence gathering efforts.

The Departments of State and Justice, in cooperation with other relevant agencies, will report to the National Security Council within 30 days on the structure of interagency coordination to achieve these objectives.

Congressional action will be important to provide U.S. law enforcement agencies with needed authority to deal with international smuggling operations. I will propose that the Congress pass legislation providing wiretap authority for investigation of alien smuggling cases and providing authorization to seize the assets of groups engaged in trafficking in human cargo.

In addition, I will propose legislation to give the Attorney General authority to implement procedures for expedited exclusion to deal with large flows of undocumented migrants, smuggling operations, and other extraordinary migration situations.

#### ***C. Visa Overstay Deterrence***

Nearly half of this country's illegal immigrants come into the country legally and then stay after they are required by law to depart, often using fraudulent documentation. No Administration has ever made a serious effort to identify and deport these individuals. This Administration is committed to curtailing this form of illegal immigration.

Therefore, relevant departments and agencies are directed to review their policies and practices to identify necessary reforms to curtail visa overstayers and to enhance investigations and prosecution of those who fraudulently produce or misuse passports, visas, and other travel related documents. Recommendations for administrative initiatives and legislative reform shall be presented to the White House Interagency Working Group on Immigration by June 30, 1995.

#### **REDUCING THE MAGNET OF WORK OPPORTUNITIES, WORKSITE ENFORCEMENT, AND DETERRENCE**

Border deterrence cannot succeed if the lure of jobs in the United States remains. Therefore, a second major component of the Administration's deterrence strategy is to toughen worksite enforcement and employer sanctions. Employers who hire illegal immigrants not only obtain unfair competitive advantage over law-abiding employers, their unlawful use of illegal immigrants suppresses wages and working conditions for our country's legal workers. Our strategy, which targets enforcement efforts at employers and industries that historically have relied upon employment of illegal immigrants, will not only strengthen deterrence of illegal immigration, but better protect American workers and businesses that do not hire illegal immigrants.

Central to this effort is an effective, nondiscriminatory means of verifying the employment authorization of all new employees. The Administration fully supports the recommendation of the Commission on Legal Immigration Reform to create pilot projects to test various techniques for improving workplace verification, including a computer database test to validate a new worker's social security number for work authorization purposes. The Immigration and Naturalization Service (INS) and Social Security Adminis-

## **Other Presidential Documents**

tration are directed to establish, implement, monitor, and review the pilots and provide me with an interim report on the progress of this program by March 1, 1996.

In addition, the INS is directed to finalize the Administration's reduction of the number of authorized documents to support work verification for noncitizens. Concurrently, the Administration will seek further reduction legislatively in the number of documents that are acceptable for proving identity and work authorization. The Administration will improve the security of existing documents to be used for work authorization and seek increased penalties for immigration fraud, including fraudulent production and use of documents.

The Department of Labor shall intensify its investigations in industries with patterns of labor law violations that promote illegal immigration.

I also direct the Department of Labor, INS, and other relevant Federal agencies to expand their collaboration in cracking down on those who subvert fair competition by hiring illegal aliens. This may include increased Federal authority to confiscate assets that are the fruits of that unfair competition.

The White House Interagency Working Group on Immigration shall further examine the link between immigration and employment, including illegal immigration, and recommend to me other appropriate measures.

### **DETENTION AND REMOVAL OF DEPORTABLE ILLEGAL ALIENS**

The Administration's deterrence strategy includes strengthening the country's detention and deportation capability. No longer will criminals and other high risk deportable aliens be released back into communities because of a shortage of detention space and ineffective deportation procedures.

#### ***A. Comprehensive Deportation Process Reform***

The Department of Justice, in consultation with other relevant agencies, shall develop a streamlined, fair, and effective procedure to expedite removal of deportable aliens. As necessary, additional legislative authority will be sought in this area. In addition, the Department of Justice shall increase its capacity to staff deportation and exclusion hearings to support these objectives.

#### ***B. National Detention and Removal Plan***

To address the shortage of local detention space for illegal aliens, the Administration shall devise a National Detention, Transportation, and Removal Policy that will permit use of detention space across the United States and improve the ability to remove individuals with orders of deportation. The Department of Justice, in consultation with other agencies as appropriate and working under the auspices of the White House Interagency Working Group on Immigration, shall finalize this plan by April 30, 1995.

The Administration will seek support and funding from the Congress for this plan and for our efforts to double the removal of illegal aliens with final orders of deportation.

#### ***C. Identification and Removal of Criminal Aliens***



### **Title 3—The President**

The Institutional Hearing Program is successfully expediting deportation of incarcerated criminal aliens after they serve their sentences.

To further expedite removal of criminal aliens from this country and reduce costs to Federal and State governments, the Department of Justice is directed to develop an expanded program of verification of the immigration status of criminal aliens within our country's prisons. In developing this program, the viability of expanding the work of the Law Enforcement Support Center should be assessed and all necessary steps taken to increase coordination and cooperative efforts with State, and local law enforcement officers in identification of criminal aliens.

#### **TARGETED DETERRENCE AREAS**

Many of the Administration's illegal immigration enforcement initiatives are mutually reinforcing. For example, strong interior enforcement supports border control. While there have been efforts over the years at piecemeal cooperation, this Administration will examine, develop, and test a more comprehensive coordinated package of deterrence strategies in selected metropolitan areas by multiple Federal, State, and local agencies.

The White House Interagency Working Group on Immigration shall coordinate the development of this interagency and intergovernmental operation.

#### **VERIFICATION OF ELIGIBILITY FOR BENEFITS**

The law denies most government benefits to illegal aliens. The government has a duty to assure that taxpayer-supported public assistance programs are not abused. As with work authorization, enforcement of eligibility requirements relies upon a credible system of verification. The INS, working with the White House Interagency Working Group on Immigration as appropriate, shall review means of improving the existing benefits verification program. In addition, we will seek new mechanisms—including increased penalties for false information used to qualify for benefits—to protect the integrity of public programs.

#### **ANTI-DISCRIMINATION**

Our efforts to combat illegal immigration must not violate the privacy and civil rights of legal immigrants and U.S. citizens. Therefore, I direct the Attorney General, the Secretary of Health and Human Services, the Chair of the Equal Employment Opportunity Commission, and other relevant Administration officials to vigorously protect our citizens and legal immigrants from immigration-related instances of discrimination and harassment. All illegal immigration enforcement measures shall be taken with due regard for the basic human rights of individuals and in accordance with our obligations under applicable international agreements.

#### **ASSISTANCE TO STATES**

States today face significant costs for services provided to illegal immigrants as a result of failed policies of the past. Deterring illegal immigration is the best long-term solution to protect States from growing costs for illegal immigration. This is the first Administration to address this primary responsibility squarely. We are targeting most of our Federal dollars to those initiatives that address the root causes that lead to increased burdens on States.

## **Other Presidential Documents**

The Federal Government provides States with billions of dollars to provide for health care, education, and other services and benefits for immigrants. This Administration is proposing increases for immigration and immigration-related spending of 25 percent in 1996 compared to 1993 levels. In addition, this Administration is the first to obtain funding from the Congress to reimburse States for a share of the costs of incarcerated illegal aliens.

This Administration will continue to work with States to obtain more Federal help for certain State costs and will oppose inappropriate cost-shifting to the States.

### **INTERNATIONAL COOPERATION**

This Administration will continue to emphasize international cooperative efforts to address illegal immigration.

Pursuant to a Presidential Review Directive (PRD), the Department of State is now coordinating a study on United States policy toward international refugee and migration affairs. I hereby direct that, as part of that PRD process, this report to the National Security Council include the relationship of economic development and migration in the Western Hemisphere and, in particular, provide recommendations for further foreign economic policy measures to address causes of illegal immigration.

The Department of State shall coordinate an interagency effort to consider expanded arrangements with foreign governments for return of criminal and deportable aliens.

The Department of State also shall seek to negotiate readmission agreements for persons who could have sought asylum in the last country from which they arrived. Such agreements will take due regard of U.S. obligations under the Protocol Relating to the Status of Refugees.

The Department of State further shall implement cooperative efforts with other nations receiving smuggled aliens or those used as transshipment points by smugglers. In particular, we will look to countries in our hemisphere to join us by denying their territory as bases for smuggling operations.

The Department of State shall initiate negotiations with foreign countries to secure authority for the United States Coast Guard to board source country vessels suspected of transporting smuggled aliens.

This directive shall be published in the **Federal Register**.

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,**

*Washington, February 7, 1995.*

### **Title 3—The President**

**Memorandum of February 15, 1995**

#### **Delegation of Responsibilities Under Section 1205(d) and 1207(c) of Title XII of Public Law 103–337**

*Memorandum for the Secretary of State [and] the Secretary of Defense*

By the authority vested in me by the Constitution and the laws of the United States of America, including section 301 of Title 3 of the United States Code, I hereby delegate to the Secretary of State the authorities and duties vested in the President under sections 1205(d) and 1207(c) of Title XII of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337), to be exercised in consultation with the Secretary of Defense.

The Secretary of State is authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
Washington, February 15, 1995.

**Memorandum of February 16, 1995**

#### **Delegation of Certain Presidential Authorities Under the Foreign Assistance Act of 1961 and Related Appropriations Legislation**

*Memorandum for the Secretary of State [and] the Administrator of the Agency for International Development*

By virtue of the authority vested in me by the Constitution and laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate as follows certain authorities vested in the President:

(A) the functions under section 607 of the Foreign Assistance Act of 1961, as amended (FAA), to the Secretary of State and to the Administrator of the Agency for International Development, respectively, for matters within their respective areas of responsibility; and

(B) the functions in the first proviso under the heading “Population, Development Assistance,” contained in title II of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1995 (Public Law 103–306), and in comparable provisions in successor legislation, to the Secretary of State relating to those organizations and programs for which the Secretary of State has funding responsibility.

The delegations of authority described in subparagraph (A) are in addition to other delegations of such authority to the International Development Cooperation Agency.

The delegation of authority described above in subparagraph (B) shall be exercised in lieu of the delegation of the comparable authority to the Administrator of the Agency for International Development by section 1–102(a)(7) of Executive Order No. 12163, as amended.

## Other Presidential Documents

Any reference in this memorandum to any Act, order, determination, or delegation of authority shall be deemed to be a reference to such Act, order, determination, or delegation of authority as amended from time to time.

The functions delegated by this memorandum may be redelegated within the Department of State or the Agency for International Development, as appropriate.

The Secretary of State is authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, February 16, 1995.*

### **Presidential Determination No. 95-15 of February 28, 1995**

## **Certifications for Major Narcotics Producing and Transit Countries**

### *Memorandum for the Secretary of State*

By virtue of the authority vested in me by section 490(b)(1)(A) of the Foreign Assistance Act of 1961, as amended, ("the Act"), I hereby determine and certify that the following major drug producing and/or major drug transit countries/dependent territories have cooperated fully with the United States, or taken adequate steps on their own, to achieve full compliance with the goals and objectives of the 1988 United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances:

The Bahamas, Brazil, China, Dominican Republic, Ecuador, Guatemala, Haiti, Hong Kong, India, Jamaica, Laos, Malaysia, Mexico, Panama, Taiwan, Thailand, Venezuela, and Vietnam.

By virtue of the authority vested in me by section 490(b)(1)(B) of the Act, I hereby determine that it is in the vital national interests of the United States to certify the following countries:

Bolivia, Colombia, Lebanon, Pakistan, Paraguay, and Peru.

Information on these countries, as required under section 490(b)(3) of the Act, is attached.

I have determined that the following major producing and/or major transit countries do not meet the standards set forth in section 490(b):

Afghanistan, Burma, Iran, Nigeria, and Syria.

I have made these determinations, taking into account the factors set forth in section 490 of the Act, and based on the information contained in the International Narcotics Control Strategy Report of 1995. Because the performance of these countries varies, I have attached an explanatory statement in each case.

### **Title 3—The President**

You are hereby authorized and directed to report this determination to the Congress immediately and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, February 28, 1995.*

### **STATEMENT OF EXPLANATION**

#### **The Bahamas**

U.S.-Bahamian drug enforcement cooperation under Operation Bahamas and Turks & Caicos (OPBAT) has been excellent and resulted in a dramatic reduction in the flow of drugs through The Bahamas into the United States, as indicated by vastly reduced drug-seizure levels over the last several years. Nevertheless, The Bahamas remains a major transit country for U.S.-bound Colombian cocaine and Jamaican marijuana. As a major financial center, The Bahamas is vulnerable to money laundering. The Bahamas is a party to the 1988 UN Convention. The Ingraham government has taken a firm stand against drug trafficking, drug abuse and money laundering and worked diligently during 1994 to fulfill the goals and objectives of the UN Convention and U.S.-Bahamian bilateral counternarcotics accords.

During 1994, Bahamian maritime cooperation with the United States was excellent under the terms of several bilateral agreements and arrangements. The Government of the Commonwealth of the Bahamas (GCOB) moved to improve cooperation with the Cuban government when traffickers intensified their exploitation of Cuban territory to avoid OPBAT enforcement efforts. The GCOB generally responds positively to specific U.S. requests under our Mutual Legal Assistance Treaty. In 1994, the GCOB took judicial action against three public officials for drug-related corruption: a prison official, an immigration officer and a customs officer.

The GCOB took several strong steps to improve its drug-trafficking-control tools. The new U.S.-Bahamas extradition treaty entered into force in 1994. The GCOB also adopted legislation, based on U.S. law, making it a crime to engage in a continuing criminal enterprise related to narcotics trafficking. Working closely with the USG, the GCOB placed special emphasis on strengthening its judicial system by increasing its courts budget, implementing a court automation system, and enacting stronger bail and sentencing legislation.

In 1994, the GCOB drafted stronger money laundering legislation, which it expects Parliament to approve in 1995. When enacted, this legislation will criminalize money laundering. The GCOB agreed to an evaluation of its money laundering controls by the Caribbean Financial Action Task Force, also expected to take place during 1995. We urge continued vigilance by The Bahamas on possible money laundering through shell corporations and international business companies, which are proliferating in The Bahamas and elsewhere in the Caribbean. Although Bahamian law renders the assets of a convicted drug offender subject to forfeiture, in practice asset forfeiture has been difficult to implement. No procedures exist for civil asset forfeiture in narcotics cases.

## **Other Presidential Documents**

### **Brazil**

Brazil is a major transit country for cocaine from Colombia destined for the United States and Europe. Increased cocaine and precursor chemical trafficking and money laundering contribute to Brazil's escalating narcotics problem; corruption allegations against counternarcotics officials in Brazil persist.

Despite these problems, Brazil endeavors to meet the goals and objectives of the 1988 UN Convention, and has succeeded in some significant interdiction efforts. The government has made progress towards complying with the UN Convention in law enforcement, asset forfeiture, extradition, and anti-corruption. The Brazilian government generally meets the goals of bilateral counternarcotics agreements with the USG on enforcement and demand reduction.

Brazil's increased seizure rate in 1994 of 11 metric tons of cocaine marks both heightened trafficker use of Brazil and improved abilities of the Brazilian Federal Police Counternarcotics Unit (DPF/DRE). Brazilian non-governmental organizations (NGOs) hosted seminars by U.S. police in schools to voice the message against drug abuse. The DPF/DRE has targeted and disrupted major Cali-connected drug trafficking organizations.

However, the Brazilian government has not hired new police or provided increased funding for the DPF/DRE. The Brazilians have not yet enacted legislation first proposed in 1991 to implement effectively the goals and objectives of the 1988 UN Convention, nor has it drafted a national drug control strategy. Brazil has not yet proposed specialized anti-money laundering legislation, but requires reporting of cash transactions involving amounts over \$10,000.

The international consultative forum, the Dublin Group, has focused worldwide donor attention on the need for Brazil to pay greater attention to counternarcotics issues and urged the GOB to take more vigorous action against its growing drug problem. Newly-elected President Cardoso is expected to take such action to confront narcotics traffickers.

Brazil's former President Franco signed a decree increasing the DPF's licensing and oversight responsibility for chemicals. The DPF/DRE initiated a sea/airport security program, and continued to seize drugs by riverine and ground law enforcement methods. Brazil continues to plan for a radar system (SIVAM), financed by the Export-Import Bank, to detect narcotics trafficking aircraft in the Amazon.

### **China**

The Government of the People's Republic of China (PRC) is committed to combatting narcotics trafficking and use. China is a major transit route for heroin from neighboring Burma, Laos and Vietnam to the United States and other overseas markets. Drug addiction, which was effectively stamped out following the founding of the PRC in 1949, is once again on the rise. Thanks to China's expanding economy and increasing openness to the outside world, narcotics consumption within the PRC is growing. In addition, opportunities for investment in China provide greater potential for money laundering.

Chinese enforcement efforts continue to be vigorous and were stepped up in 1994. Strong laws based on a national directive issued in 1990 call

### **Title 3—The President**

for the death penalty for many drug-related crimes. Hundreds of drug criminals are executed in accordance with these laws annually. Narcotics trafficking in Yunnan province, which borders Burma, decreased in the latter part of 1994. The Chinese arrested major figures in two drug trafficking groups based in Burma, the Kokang and the Wa. Better surveillance of the Burmese border, improved intelligence work, and better control of precursor chemicals have also contributed to at least a temporary decrease in trafficking in Yunnan. PRC counternarcotics officials project no increase in national trafficking figures over 1993 levels. The PRC has taken a strong stand against official corruption, and has laws dealing specifically with government officials who are found guilty of the use, manufacture or delivery of narcotics.

The United States and China do not have a bilateral counternarcotics agreement in place. China has met, or is actively seeking to meet, the goals and objectives of the 1988 UN Convention, to which it is a party, by continuing its efforts to enhance law enforcement measures, public education, and international cooperation.

Illicit opium cultivation exists in remote, often roadless areas of Yunnan province and is suspected to exist in scattered pockets in other parts of China. The authorities are committed to eradicating opium cultivation when it is detected. Yunnan province cultivation is estimated at 1,965 hectares, capable of yielding approximately 25 metric tons of opium gum.

Impediments to bilateral cooperation remain. The Chinese frequently cite the 1993 U.S. court decision blocking the forced return to China of a Chinese drug trafficker ("goldfish case") as an obstacle to U.S.-China counternarcotics cooperation, but these same officials state that they would like to expand bilateral cooperation in the future.

#### **Dominican Republic**

The United States Government and the Government of the Dominican Republic (GODR) maintained close, effective counternarcotics cooperation in 1994, despite tensions over the disputed Dominican presidential election and over Haiti. The Dominican Republic intensified its counternarcotics effort and improved interagency/inter-service cooperation under the leadership of the new director of the National Directorate of Drug Control (DNCD). GODR personnel, working with U.S. law enforcement, made several multi-hundred kilo cocaine seizures in 1994. The GODR was especially helpful in arranging the return of several major drug figures who were fugitives from U.S. justice.

Threat assessments indicate an increased flow of narcotics into the Dominican Republic from Haiti, especially since the September 1991 coup in Haiti. Maritime shipments from Panama are also increasing. The DNCD and Dominican Navy, working in concert with DEA, interdicted one such maritime shipment on November 22, seizing nearly a metric ton of cocaine and uncovering a major smuggling operation.

During 1994, a wide range of USG-financed professional training (law enforcement, drug abuse prevention, financial investigations, and canine handling assessment) was provided to DNCD personnel and other military and civilian officials. The GODR complied fully with its commitments under the bilateral counternarcotics assistance agreement.

## **Other Presidential Documents**

The Dominican Republic became a party to the UN Convention in late 1993 and has taken action consistent with the goals and objectives of the UN Convention. Additional legislation, however, is needed in areas such as money laundering and asset seizure to enable the GODR to comply more fully with the Convention. The GODR has been active in the Inter-American Drug Abuse Control Commission and the United Nations Drug Control Program. It hosted the 1994 United Nations Heads of Narcotics Law Enforcement Agencies Conference for Latin America and will host the Latin American International Drug Enforcement Conference in April 1995. It has established cooperative relationships with a number of other governments in the hemisphere, most recently signing a bilateral drug cooperation agreement with Venezuela.

The GODR still faces many challenges in establishing an effective national anti-drug effort. While it has taken steps to address narcotics-related and other official corruption, corruption continues to undermine GODR law enforcement efforts. Anti-drug legislation, while strengthened, has serious flaws; in the area of money laundering control, for example, the Dominican legislature removed prison sentences, leaving only moderate fines for bankers convicted of involvement in laundering activities. The GODR will resubmit the package in 1995 to correct this.

### **Ecuador**

Ecuador is a bridge between the world's largest supplier of coca leaf, Peru, and the world's major processor of cocaine hydrochloride, Colombia. Traffickers use Ecuador as a transit point to ship 30–50 metric tons (mt) of cocaine per year to the United States and Europe, as well as to smuggle chemicals into Colombia for cocaine processing. Money launderers take advantage of Ecuador's loose banking laws and extensive offshore banking system to conceal the illicit nature of their proceeds.

Ecuadorian judges are subject to trafficker intimidation and subornation, which has obstructed efforts to bring Cali-connected kingpin Jorge Reyes Torres to justice. Corrupt judicial practices have precluded indictments in Reyes Torres-related cases, specifically the Banco De Los Andes case. Stronger resolve by the Government of Ecuador (GOE) to confront judicial corruption will be necessary to successfully conclude the Jorge Reyes Torres case and other counternarcotics initiatives.

Ecuador made significant strides this year toward complying with the 1988 UN Convention, to which it is a party. The government has taken steps to generally meet the goals of bilateral counternarcotics agreements with the USG on enforcement, demand reduction, and prosecutions of major narcotics traffickers. The GOE enacted a law based on OAS model legislation on asset sharing and completed a study to determine the amount of licit chemical use in Ecuador.

However, the Ecuadorians should strive to control trafficking in precursor and essential chemicals by creating an effective monitoring and control system based on the results of the completed study. Ecuador is making efforts to control money laundering by involving the police, Superintendency of Banks, and the National Drug Council (CONSEP) in collaborative investigations.

The USG has provided Thrush aircraft to identify illicit crop cultivation in Ecuador. None was discovered in 1994, but search flights will continue



### **Title 3—The President**

in 1995. Ecuador is progressing in implementing its National Drug Strategy. Ecuador signed an asset-sharing agreement with the USG in 1994. A limited amount of asset-sharing has already taken place based on this agreement. The Ecuadorians used the funds for law enforcement purposes. Ecuador continues to work toward sharing the remainder of \$3 million in assets forfeited in the Reyes Torres investigation.

The USG counternarcotics assistance program helps Ecuador to reduce money laundering, control essential chemicals, and buttress the judiciary's ability to preserve democracy by enforcing the rule of law.

#### **Guatemala**

The Government of Guatemala (GOG) has successful programs to reduce demand, cultivation, and transit of illicit narcotics.

With USG technical support, specially trained units of the Guatemalan Treasury Police conduct ongoing eradication that has reduced opium poppy cultivation to minimal levels. Persistent attempts to revive poppy cultivation are the focus of a continuing suppression program which includes detection and eradication.

Guatemala's hundreds of small, unmonitored airfields connected by good roads appear to have almost been forsaken by traffickers moving cocaine in small planes to the United States from South America. In response to DEA's Operation Cadence and GOG vigilance in-country, traffickers are increasingly transporting drugs overland and by sea. During 1994, over 1.5 metric tons of cocaine were seized outside Guatemala as a result of Guatemalan-based intelligence. Almost two metric tons were seized in-country.

The GOG's aggressive investigation, interdiction and eradication operations are consistent with the goals of the 1988 UN Convention, to which Guatemala is a party. However, Guatemala lacks legislation needed to implement the Convention in areas such as money laundering and essential chemical control. Money laundering has not been criminalized in Guatemala and is not considered a significant problem.

Corruption, especially in the judicial branch, is a major problem in Guatemala. The GOG has begun to focus attention on corruption, particularly in the courts where several judges were relieved of their positions for releasing prisoners under allegedly questionable circumstances. The GOG does not, as a matter of policy or practice encourage or facilitate illicit narcotics production or distribution, or laundering of drug proceeds.

Guatemala continues to accomplish the goals of its bilateral narcotics agreements with the USG for drug eradication, interdiction, and demand reduction. The USG is working with the GOG to implement cost reductions while retaining the high level of effectiveness demonstrated by Guatemala's counternarcotics programs.

#### **Haiti**

Because of its ideal geographic location for smuggling, the island of Hispaniola has long been a significant transit point for cocaine destined for U.S. and European markets. The unstable political situation and weak government institutions in Haiti facilitated narcotics trafficking for many years. The opportunities for traffickers to take advantage of these conditions were even greater after the September 1991 coup which ousted President Jean

## Other Presidential Documents

Bertrand Aristide. Multi-hundred kilo and multi-ton shipments of cocaine transited the country frequently. The USG has received credible, but unsubstantiated, reports for many years that the Haitian military was involved in assisting traffickers. However, the USG was unable to determine the veracity of reports that the *de facto* regime or the military hierarchy secretly condoned such activity.

Until the legitimate government of Haiti was restored in September 1994, the USG maintained only limited counternarcotics cooperation with the *de facto* regime in Haiti, largely through the Haitian Center for Information Coordination (CICC), which the United States helped establish in 1987. The *de facto* government undertook some drug enforcement efforts and made a number of cocaine seizures in the 2–60 kg range in 1993–1994, some in cooperation with USG law enforcement personnel from the U.S. Embassy. However, suspected multi-ton shipments transited Haiti unimpeded until the country was subjected to an international maritime blockade in April 1994.

Drug trafficking was among the six issues President Clinton listed in early 1994 as key areas of U.S. concern relating to Haiti. Growing drug trafficker influence in Haiti may well have impeded the return of democracy, sound administration of justice and economic recovery. The Aristide administration, working with the international community, has initiated an extensive administration of justice and police reform program. Former military and police personnel suspected of involvement in drug trafficking are being excluded from the new civilian police corps and the reorganized military.

This massive and critical reform is the most important step that the Government of Haiti can take at this stage to attack the narcotics problem at its core. Since the restoration of the Aristide government, the USG-led Multinational Force and the International Police Monitors have played a large role in law enforcement in Haiti. These efforts have included control of the major ports and airfields, and supervising and monitoring the interim Haitian police. This, and all other relevant activity, is undertaken with the full concurrence of the Haitian government. The Aristide government cooperated completely with the United States in all aspects of this effort.

In the future, the restored Aristide government will need to take a number of other measures to address drug trafficking more effectively: it should become a party to the 1988 UN Convention, establish a national council to coordinate Haitian counternarcotics activities, implement money laundering controls, and forcefully address the problem of narco-corruption within the police and military forces.

### Hong Kong

Hong Kong is not a party to the 1988 UN Convention, but the territory's counternarcotics efforts effectively comply with most of the goals and objectives of the agreement. Hong Kong takes serious and effective measures to combat narcotics trafficking. Nevertheless, Hong Kong remains an important transshipment center for heroin from Southeast Asia. Due to enforcement efforts and changes in trafficking patterns, the volume of drugs passing through Hong Kong seems to be dropping. The amount of heroin detected transiting Hong Kong for Taiwan, Japan, and the United States fell

### **Title 3—The President**

during 1994 and heroin arriving in Hong Kong is increasingly intended for domestic consumption.

The USG is not aware of any narcotics-related corruption among senior government or law enforcement officials in Hong Kong. Hong Kong has a comprehensive anti-corruption ordinance that is effectively enforced by an independent commission that reports directly to the Governor.

Hong Kong continues to serve as a major center of money laundering of drug proceeds by local and regional groups trafficking in heroin. Passage of the new Organized and Serious Crimes Ordinance improves the Hong Kong Government's (HKG) ability to prosecute money launderers. The HKG is in the final stages of drafting amendments to the Financial Recovery of Proceeds Act to conform more fully with the Financial Action Task Force recommendations and the UN Convention.

There is a bilateral narcotics agreement, which facilitates asset freezing and asset forfeiture. The Hong Kong Government and the USG have worked closely together on U.S. extradition requests, although there is some concern that overly strict application of Hong Kong evidentiary requirements has made extradition difficult in some cases. Overall bilateral cooperation on drug enforcement efforts is very good.

#### **India**

India is the world's largest producer of licit opium and the largest supplier to the U.S. pharmaceutical industry. Opium is diverted from legal production, and there is substantial illicit opium cultivation in certain districts. India is also a transit route for heroin from nearby producing countries, and an exporter of methaqualone and heroin precursor chemicals en route to the Middle East, Africa, Europe and North America.

As a licit producer of opium, India must meet an additional certification requirement. In accordance with Section 490(c) of the Foreign Assistance Act, it must maintain licit production and stockpiles at levels no higher than those consistent with licit market demand and take adequate steps to prevent significant diversion of its licit cultivation and production into illicit markets and to prevent illicit cultivation and production.

The United States and India conducted an intensive dialogue on narcotics issues, with meetings of a Joint Working Group and a 1994 visit by Dr. Lee Brown. With U.S. encouragement, India maintained during 1994 a promising narcotics dialogue with Pakistan on cross-border smuggling of heroin and precursor chemicals, despite poor bilateral relations in other areas.

Over the past several years, the Government of India (GOI) has taken steps to reduce licit opium stockpiles and the potential for diversion of licit opium to the illicit market. The total area licensed for cultivation was kept at about 14,000 hectares (ha) in the 1993/4 crop season and physical controls on harvested opium were enhanced. In 1994, in the course of taking the first physical inventory in many years, it became clear that real stocks on hand were far lower (by 800 metric tons) than official inventories and that supplies were insufficient to fulfill 1994 contractual requirements. An International Narcotics Control Board audit described the failure to have maintained adequate inventory records as a violation of the 1961 Single Convention on Narcotics Drugs. No adequate accounting of several hundred

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tons of the discrepancy between book stocks and real stocks has been made. New storage and accounting controls put into place in 1994 should reduce potential for diversion from licit stocks.

To combat large-scale diversion by growers, the GOI has slowly increased minimum qualifying yields (MQY) on licensed growers. MQY was raised from 40 kg per ha to 43 kg/ha for the 1994/5 growing season. An unreleased GOI crop survey reportedly suggests that MQY could be raised by a substantially greater amount. The United States raised with India the need for a scientific crop yield survey in the near future so that MQY can be raised to a level high enough to prevent substantial diversion to the illicit market.

To cope with the 1994 opium shortfall and rebuild an appropriate reserve stockpile, the GOI decided in 1994/5 to expand the cultivated area to about 24,000 hectares, but to improve security by concentrating production in a more limited region, granting additional hectarage to farmers with a history of high yields, and delicensing some 40,000 farmers whose opium deliveries to the GOI fell below the MQY. This expansion in cultivated area raises concern about the potential for increased diversion.

The Government of India cooperates well with the United States on individual cases of trafficking. There has been little success, however, in cracking major smuggling rings, pointing up a continuing lack of resources and personnel, including lack of intelligence-gathering capability and high-level political support, allocated to narcotics enforcement. There were no seizures of heroin laboratories in 1994. The United States has no specific knowledge of any senior GOI officials encouraging or facilitating trafficking or money laundering. Allegations of corruption among lower-level judicial and law enforcement personnel are widespread, but successful prosecutions rare.

Illicit cultivation of opium is concentrated in the state of Jammu and Kashmir, in remote areas of Uttar Pradesh, and in other areas where political disturbances and inadequate enforcement resources kept GOI eradication efforts to a minimum. The GOI cited bureaucratic difficulties in turning down a U.S. offer of partial U.S. funding for an aerial crop survey in 1994. Illicit opium production is estimated to be in the range of 80 metric tons on 5,500 hectares, with reported eradication of about 100 hectares.

India is a party to the 1988 UN Convention and has made some progress toward precursor chemical control and law enforcement cooperation. However, India has not yet passed asset seizure legislation or implemented recommendations of the Financial Action Task Force. Although India did not sign a bilateral agreement with the United States in 1994, the goals of a 1993 agreement aimed at improving security at the opium factories are being achieved.

India fulfilled the requirement of FAA Section 490(c) to maintain licit production and stockpiles at levels no higher than consistent with market demand. The GOI addressed a number of the specific U.S. concerns expressed in 1994 bilateral narcotics consultations, which focussed on better controls on licit opium production. For 1994, India's efforts to impose necessary controls on licit opium and cooperation with DEA and other endorsement agencies justify continued certification. In 1995, significant additional steps will need to be taken if full certification is to continue. Areas of outstanding concern include: quantifying real licit opium yields; revising

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MQY to appropriate levels; eradicating illicit cultivation; taking effective action against major narcotics trafficking syndicates and kingpins; and implementing effective measures on money laundering and asset seizure.

#### **Jamaica**

Jamaica is both a major producer of marijuana and a flourishing transshipment site for South American cocaine en route to the United States, The Bahamas, Canada and Europe. There is scant evidence of money laundering at this point. Jamaica is not yet a party to the 1988 UN Convention. However, the Government of Jamaica (GOJ) took adequate steps during 1994 to fulfill the goals and objectives of both the Convention and U.S.-Jamaican counternarcotics agreements.

The GOJ made progress during 1994 in strengthening its narcotics control effort. Jamaica's Forfeiture of Assets Act, which allows for criminal but not civil forfeiture, went into effect in August. The GOJ also amended its Dangerous Drugs Act to provide for tougher fines and longer imprisonment for drug offenders. The GOJ continued work on money laundering control legislation and expects to present it to Parliament before April 1995. With the adoption of money laundering legislation, Jamaica will have the full range of implementing legislation for the 1988 UN Convention, which it then intends to ratify. In 1994, the GOJ submitted to Parliament enabling legislation to permit Jamaican ratification of the U.S.-Jamaica Mutual Legal Assistance Treaty, and the GOJ expects passage soon.

Throughout 1994, the GOJ continued its excellent cooperation on extradition. GOJ drug enforcement agencies also continued to cooperate well with the U.S. Drug Enforcement Administration (DEA). These agencies have recognized the need to bring major traffickers to justice and break up trafficker networks and are taking appropriate steps. Recognizing the necessity of prompt prosecution and conviction, the GOJ has begun to work with the USG on judicial reform, the objectives being to improve the flow of cases through Jamaica's court system and obtain more convictions. Although we know of no GOJ prosecutions of officials for corruption in 1994, the GOJ, and especially the Police Commissioner, has attempted to de-politicize the police force and control corruption, largely by transferring suspect personnel. The Commissioner fully supported the USC's revocation of the visas of several police officers suspected of drug trafficking, as permitted under U.S. law. The GOJ's major demand reduction program, a UNDCP-funded project, is not making appreciable progress at this time due to internal problems within the National Council on Drug Abuse.

During 1994, the GOJ revitalized its marijuana eradication program. In November, the Jamaica Defense Force (JDF), Jamaica Constabulary Force (JCF) and DEA cooperated to estimate the total amount of illegally-grown marijuana. The JDF and JCF quickly organized a task force to eradicate the marijuana detected during the estimation exercise. During 1994, the GOJ eradicated 692 hectares of marijuana, a 52 percent increase over 1993 eradication.

#### **Laos**

Laos is not a party to the 1988 UN Convention, but has drafted a comprehensive drug control program that commits it to the goals of the Convention. As part of this program, the government has pledged to become

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a party to the Convention no later than the year 2000. A letter of agreement on counternarcotics signed in 1989 is the basis for ongoing drug control projects funded by the USG. These projects consist of an alternative crop development project and a law enforcement support project. In 1994, police units supported by the law enforcement project became operational and began to make arrests. Road building, dam site preparation and other basic development work was undertaken in the crop development project.

Based on USG estimates, Laos remains one of the world's major producers of opium, although production has been on a declining trend since 1990. Due primarily to weather, opium cultivation and yield fell sharply during the 1993/4 growing season. USG estimates for the 1994 crop show a decrease in cultivation of approximately 29 percent, from 26,040 hectares in 1993 to 18,520 in 1994. Production of opium gum dropped even more significantly, from about 180 metric tons in 1993 to only 85 metric tons in 1994, a decline of 53 percent. Opium cultivation is not illegal under existing statutes.

In the past year, the Lao government has moved forward in its anti-narcotics efforts through continuation of both bilateral and multilateral programs. Bilateral agreements signed with the USG continued the crop control project in Houaphan Province and the law enforcement project. An additional crop control project has been approved, which will be implemented by Norwegian Church Aid/UNDCP. An active UNDCP program also operates an alternative development program aimed at opium crop control. The Lao special counternarcotics unit, which was formed as a result of the 1992 bilateral USG-Lao law enforcement project agreement, is now functioning and had some successes in 1994 in heroin interdiction efforts. Lao customs has worked closely and effectively with the special unit in several significant seizures of illicit drugs and in follow-on investigations.

There have been allegations of military and official collusion in narcotics production and trafficking, but there is no solid evidence of official corruption. Lao government employees receive low pay, making them susceptible to corruption and low-level corruption is assumed to exist. There is no clear evidence that the Lao government as a matter of policy encourages or facilitates the illicit production or distribution of drugs or the laundering of drug money.

### Malaysia

Malaysia ratified the 1988 UN Convention in 1993 and has worked cooperatively with the USG, as well as taking adequate steps on its own, to fulfill the Convention's goals and objectives. The USG and the Government of Malaysia (GOM) continue strong antinarcotics cooperation. Several important steps forward in bilateral cooperation were made this year. The two governments renewed efforts to collect and analyze intelligence on international drug trafficking, and the Drug Enforcement Administration and the Royal Malaysian Police restored their cooperative relations. A bilateral agreement to assist in demand reduction programs is being implemented effectively. Negotiations for a new U.S.-Malaysia extradition treaty are proceeding.

The Government of Malaysia considers the narcotics problem a priority issue. Malaysia pursues an aggressive enforcement policy under one of the

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most severe drug laws in the world. A well-funded counternarcotics program emphasizes both enforcement and demand reduction.

Illicit heroin processing, heroin trafficking, and growing addiction continue to be serious problems in Malaysia. Traffickers smuggle heroin base into Malaysia from Thailand and Burma and refined heroin continues to transit Malaysia en route to the United States and other Western markets.

During 1994, there were no notable cases of corruption involving narcotics. However, Penang, where Chinese triad gangs control most narcotics trafficking, is still considered to be vulnerable to corruption and gang members are believed to be involved in attempts to engage law enforcement officials in various forms of corruption. Corruption continued to be addressed by law enforcement agencies. The Royal Malaysian Police continued to take precautions against potential corruption by a careful selection of officers for its anti-narcotics unit and frequent transfers within the unit. Although some law enforcement officials have been charged with corruption in the past, there has been no evidence of corruption among senior officials.

Despite severe legal penalties for both drug use and trafficking, drug trafficking remains a major problem. Illicit narcotics generally continue to be available at stable prices for the local addict population.

There is no evidence that Malaysia is a significant center for money laundering now, but the Malaysian government is concerned that a new offshore financial center may be vulnerable to money laundering activities and is looking for ways to head off this threat.

#### **Mexico**

The United States Government and the Government of Mexico (GOM) maintained close counternarcotics cooperation in 1994, the final year of the Salinas administration, in keeping with the commitments of the bilateral agreement on cooperation in combatting narcotics trafficking and drug dependency (Chiles Amendment Agreement). Mexico continued its multi-faceted national campaign against production, trafficking and abuse of illegal drugs, meeting many of the goals and objectives of the 1988 UN Convention. However, the results of this campaign were mixed, with cocaine seizures falling to the lowest level of Salinas' tenure (about 21 mt) and few major traffickers arrested and prosecuted. Narco-corruption remains a serious impediment to effective drug law enforcement. Eradication of opium poppy and cannabis also declined substantially. One factor causing the decline may have been the diversion of military personnel and resources to handle the political uprising in the state of Chiapas. On the positive side, heroin seizures increased to about 300 kilograms, more than the previous five years combined. Seizures of precursor and essential chemicals and destruction of clandestine laboratories likewise increased. Money laundering, particularly the large-scale conversion of cash from the United States, remains a major problem in Mexico, which the GOM has not yet effectively curbed.

The decline in cocaine seizures was due to a number of factors. Much of the Mexican Attorney General's Office was devoted to investigating the assassinations of the leading Presidential candidate and the Secretary General of the ruling PRI party. Also, to avoid detection by U.S. and Mexican air interdiction systems, traffickers increased the use of fast moving cargo jets, each transporting huge quantities of cocaine into Mexico. Only one of

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these aircraft was seized; the U.S. and Mexican governments are sharing intelligence and upgrading equipment to address this situation.

Despite commendable efforts by the Salinas administration to tackle endemic corruption with the Mexican police and judicial systems, including hundreds of dismissals and numerous prosecutions, the measures taken did not turn the tide. Anti-corruption actions, as well as efforts to build strong anti-drug institutions, were undermined by narco-influence (and money) and frequent personnel turnovers, especially in 1994.

The actions taken by newly-inaugurated President Ernesto Zedillo are encouraging. Zedillo stated publicly that narcotrafficking presented the single greatest threat to the national security of Mexico. Within a few weeks of taking office, he promulgated a sweeping judicial reform package, which was overwhelmingly approved by the Mexican Congress. The Zedillo administration has also pledged to pursue institutional reform of Mexican law enforcement agencies to counter official corruption and to strengthen legal controls over money laundering and precursor chemicals.

### **Panama**

Panama is a major money laundering center, a producer of coca leaf, and a transit point for cocaine destined for the United States.

For most of 1994, Panama was preoccupied by election year politics and the transition of administration from President Endara to President Perez Balladares. Nonetheless, there were significant policy and legislative initiatives on the counternarcotics front.

Two important counternarcotics achievements were enacted by the Endara administration before it left office: the establishment of cross-border currency controls and the passage of Law 13 which expanded the Government of Panama's (GOP) ability to investigate and prosecute narcotics-related crime.

Since taking office in September 1994, the administration of Perez Balladares acknowledged that narcotrafficking and narcotics-related money laundering threaten Panama's political and economic stability. In an effort to prevent abuse of incorporation laws, the new President issued a decree mandating attorneys to follow "know-your-customer" practices. He then established a special commission to develop money laundering controls. The resulting policy statement prescribed a number of far-reaching changes. For example, it criminalized drug-related money laundering, mandated suspicious transaction reporting, and extended cash transaction reporting obligations to non-financial institutions. Moreover, Panama's new controls include strengthening the regulatory authority of the National Banking Commission and developing a financial analysis center, an investigations unit, and a prosecutor's office to develop cases of financial crime.

Panama was generally successful in meeting the goals and objectives of the 1988 UN Convention and bilateral counternarcotics agreements with the United States. The GOP's aggressive eradication efforts continued, and interdiction operations showed a marked improvement. To combat money laundering and corruption, the administration of Perez Balladares moved rapidly on the policy front but was unable to begin implementation of controls before the end of the year. Several middle- and low-level officials were investigated for corruption and, in a few cases, dismissed. The GOP



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does not, as a matter of policy or practice, encourage or facilitate illicit narcotics distribution, corruption, or laundering of drug proceeds.

In 1994, Panama developed a framework on which it can wage a campaign against traffickers and money launderers. In 1995, the measure of the GOP's counternarcotics programs will be the degree to which it builds upon that framework by implementing controls, seizing assets, and prosecuting offenders.

#### **Taiwan**

Changing drug trafficking patterns in East Asia have created a growing heroin trafficking problem in Taiwan. Domestic demand for heroin has risen sharply, and Taiwan has also emerged as an important center for the transshipment of heroin. Over the past three or four years, Taiwan authorities have made drug enforcement a priority and heroin seizures have risen sharply, climbing to over one metric ton in 1993.

Taiwan is not a party to the 1988 UN Convention, but the vigorous drug enforcement campaign mounted by the Taiwan authorities demonstrates substantial progress toward meeting some of the goals of the Convention, and shows Taiwan is taking adequate steps on its own to address the problem of heroin trafficking. However, legislation and agreements do not yet exist to implement the provisions of the Convention regarding asset forfeiture, controlled delivery, extradition, mutual legal assistance and illicit traffic by sea. Taiwan authorities have expressed an interest in developing agreements in some of these areas. There were no reported incidents of police corruption involving drugs. There is no evidence of senior Taiwan officials being involved with the illegal drug trade.

Working cooperation between the Drug Enforcement Administration and both the Taiwan National Police and the Ministry of Justice Investigation Bureau has been good. Efforts are being made to enhance enforcement cooperation and Taiwan authorities have expressed interest in entering into a bilateral counternarcotics agreement under the auspices of the Taipei Economic and Cultural Representative Office in the United States and the American Institute in Taiwan.

#### **Thailand**

Thailand is the main transit route for the illicit drug production from the Golden Triangle. Successful eradication and development efforts have reduced opium cultivation far below the amounts grown in the neighboring countries of Burma and Laos. Due to the efforts of the Thai Government authorities, 1994 cultivation of illicit opium was only 2,110 hectares, yielding 17 metric tons of opium.

Drug enforcement cooperation is very good and improved even further in 1994. In a precedent-setting cooperative law enforcement operation, the Royal Thai government in November 1994 arrested ten major traffickers under indictment in the United States who form part of drug lord Khun Sa's Shan United Army (SUA) infrastructure and proceedings to extradite the fugitives to the United States are now pending in Thai courts. During 1994, Thailand also took action to close off its northern border, reducing the flow of supplies and other logistical support to the SUA in Burma. Efforts continue to enhance judicial cooperation and the Thai Cabinet has just moved to permit the courts to consider the extradition of a former Thai

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Member of Parliament under indictment in the United States on large-scale marijuana smuggling charges.

Thailand is a leader in regional drug control programs and shares its expertise through agreements with neighboring countries and the United Nations and through training and cooperative enforcement activities.

Thailand remains vulnerable to money laundering due to the relatively low level of sophistication of the Thai banking system and the presence of an active quasi-legal non-bank financial system. Thailand is now in the process of drafting money laundering legislation. Drug-related corruption of some politicians and police officials remains a problem.

A bilateral agreement with the United States supports law enforcement cooperation and crop control, including eradication of opium poppies and Thailand has performed well under that agreement. Thailand is not a party to the 1988 UN Convention, but is a party to the 1961 Single Convention on Narcotic Drugs, its 1972 Protocol, and the 1971 Convention on Psychotropic Substances.

### **Venezuela**

Venezuela is a major drug transit country. Traffickers ship an estimated 100–200 metric tons (mt) of cocaine annually through Venezuela. Precursor and essential chemical trafficking and money laundering are also serious problems in Venezuela. The Venezuelan judiciary's marginal ability to resist the corruptive influence of traffickers has hampered counternarcotics efforts in that country.

Venezuela has taken adequate steps to meet the goals and objectives of the 1988 UN Convention, to which it is a party, especially in its vigorous response to illicit crop cultivation. Venezuela quickly eradicated in 1994, with USG assistance, over 1,000 hectares of coca and opium poppy cultivation in Zulia state near its western border with Colombia. The government generally meets the goals of bilateral counternarcotics agreements with the USG. In addition, the Venezuela-Colombia border agreement to keep Venezuela free of narcotics traffickers and the successful eradication effort indicates serious Government of Venezuela (GOV) interest in preventing traffickers from making incursions into Venezuela.

Seizures of cocaine increased in 1994 to 5.0 mt, indicating both more trafficker use of Venezuela and better interdiction of cocaine by Venezuelan counternarcotics forces. Venezuela's bilateral agreement with the United States to conduct counternarcotics air interdiction operations reflects invigorated cooperation on strategic initiatives.

In 1994, the Guardia Nacional (GN) seized 5.0 mt of cocaine and 15 kilograms (kg) of heroin. However, the recent arrests of two GN members for trafficking 250 kg of cocaine through Maiquetia Airport evinces corruption problems at lower levels in the organization. The GN quickly removed the two soldiers and began an investigation of the unit.

Although President Caldera has spoken out strongly against narco-corruption, most recently at the December Summit of the Americas, corruption in Venezuela remains a serious problem. A convicted trafficker, Larry Tovar Acuna, fled to Colombia after fraudulently obtaining a pardon, and the Venezuelan government made an extradition request to Colombia for Tovar. In addition, a corrupt judge released members of the Sinforoso Ca-

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ballero money laundering organization. The Venezuelan Supreme Court reopened the case and investigated the judge.

Venezuela has not yet approved its draft national counternarcotics strategy and has not begun to control precursor and essential chemicals. With more attention from President Caldera, Venezuela's compliance with bilateral agreements on chemical control and money laundering measures should improve.

#### **Vietnam**

The Socialist Republic of Vietnam has a significant opiate abuse problem and is emerging as a location for drug trafficking. Illicit opium production exceeded 1,000 hectares, but the precise extent of cultivation remains unclear. Estimates have ranged as high as 14,000 hectares during the 1992/3 growing season. The government is undertaking a serious eradication effort and has pledged to eliminate opium cultivation, which exists primarily in relatively inaccessible regions of the north.

Opiate addiction in urban areas is a serious problem. The government, with the aid of the United Nations International Drug Control Program (UNDCP), is formulating a drug control plan to combat both production and consumption in Vietnam. Economic reforms and the growing overall volume of the Southeast Asian heroin trade have made Vietnam an emerging transit point for heroin destined for Taiwan, the United States and other locations.

Corruption is a complicating factor in domestic enforcement efforts, but there is no evidence that the government tolerates, condones or profits from drug trafficking activity.

The government is not a party to the 1988 UN Convention, but is developing a program to work toward fulfillment of the goals and objectives of the Convention. This program is embodied in the drug control plan being drafted with the assistance of UNDCP. In coordination with UNDCP, the government is drafting legislation that meets the goals of the Convention.

There is no bilateral counternarcotics agreement between the United States and Vietnam. However, informal discussions have begun between representatives of the Socialist Republic of Vietnam and the USG about counternarcotics cooperation and the Vietnamese response has been positive.

### **VITAL NATIONAL INTERESTS JUSTIFICATION**

#### **Bolivia**

Bolivia is the world's second largest producer of coca leaf after Peru and the second largest producer of cocaine after Colombia. Most of the cocaine refined from Bolivian coca leaf is consumed in the United States.

Bolivia was highly successful in counternarcotics law enforcement operations during 1994. The Government of Bolivia (GOB) conducted four major operations designed to block trafficker movements, seized two large cocaine HCl laboratories, and arrested major traffickers with links to the Medellin drug mafia. GOB forces foiled Colombian traffickers and their Bo-

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livian accomplices attempting a prison break at a maximum security facility and arrested the prison warden for complicity in the plot. Throughout 1994, the GOB continued its probe of alleged trafficker ties to former President Jaime Paz Zamora and members of his Movement of the Left (MIR) political party. In June, the Bolivian Congress removed two Supreme Court justices for corruption.

President Sanchez de Lozada is seeking to develop a strategy to eliminate illegal coca from the country without the use of measures he considers to be divisive, such as forced eradication. In 1994, however, the GOB made no measurable progress toward creating a plan to carry out this strategy.

In February 1994, the GOB briefly undertook a campaign of forced eradication which resulted in a violent reaction by coca growers. Voluntary, compensated eradication dropped off sharply and new plantings increased, resulting in a net increase in the area of coca under cultivation.

The Sanchez de Lozada administration has supported USG efforts to extradite drug traffickers, but such efforts stalled in the Bolivian Supreme Court in 1994. In early 1995, however, prominent trafficker Jose Faustino Rico Toro was declared extraditable. Thirty-five other extradition requests by the United States are pending with Bolivia. The GOB has declined to sign an extradition treaty negotiated in 1990, but in early 1995, the Sanchez de Lozada administration proposed a new draft treaty, which USG officials are reviewing.

It is in the vital national interests of the United States to maintain and increase the level of cooperation with Bolivia, the world's second largest coca and cocaine producer. Denial of certification would likely terminate much of Bolivia's multilateral development bank assistance, which would have an extremely harmful effect on the Bolivian economy. It would reduce significantly the resources available to the GOB to combat narcotics trafficking and would foster conditions in which more Bolivians would be driven to engage in illicit coca cultivation and trafficking.

Because the World Bank and Inter-American Development Bank are Bolivia's largest aid donors, USG opposition to loans to Bolivia by those institutions would result in strident calls within Bolivia for the GOB to cease its counternarcotics cooperation with the USG. Economic instability could lead to a loss of confidence throughout the country and thereby serve to undermine Bolivia's still-fledgling democratic institutions. Should Bolivia's current democratically-elected government be followed by an authoritarian regime, narcotraffickers might gain a strong foothold, as they did in the corrupt dictatorships of the early 1980's. Preserving and promoting democracy in Bolivia is in the U.S. national interest of enhancing democracy throughout the Western Hemisphere.

In 1994, although the GOB's efforts and cooperation with the USG on interdiction and on broader political issues were substantial, its overall counternarcotics efforts were not adequate to meet the goals and objectives of the 1988 UN Convention. Nevertheless, the risks posed to vital U.S. national interests from the possible consequences of terminating U.S. assistance, as noted above, greatly outweigh the risks posed by the lack of complete GOB cooperation on counternarcotics. With recent positive signs of action from the GOB, the USG will enter into further discussions to secure commitments for action in key areas.

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#### **Colombia**

In 1994, Colombia remained the world's largest supplier of cocaine and the source of virtually all the cocaine imported into the United States. There are currently more than 111,000 acres (45,000 hectares) of coca being cultivated, a 13.3 percent increase over 1993 and, if such cultivation is not contained and crops are not eradicated, Colombia could soon surpass Bolivia as the second largest source of coca after Peru. Colombia is also a significant supplier of heroin and one of the largest cultivators of opium poppy in the world, along with Burma, Afghanistan and Laos. Recent data indicate that after having been suppressed over the last few years, Colombia's marijuana cultivation and export to the United States is again increasing. The expected diminution in the movement and flow of narcotics originating in Colombia as a result of the destruction of the Medellin syndicate in 1993 did not materialize. It is apparent that the removal of Pablo Escobar and his drug empire from the Colombia narcotics scene only benefited the now-dominant syndicate headquartered in the city of Cali.

During 1994, the USG and the Government of Colombia (GOC) collaborated on a number of fronts against the scourge of narcotics trafficking in both countries. The GOC had some successes. GOC performance on a number of critical issues, however, was inadequate. Among the successes attained by the GOC were ratification of the 1988 UN Convention which entered into force for Colombia in September 1994, the legalization of the herbicide glyphosate for use against coca cultivation, the defeat of a bill in Congress supported by narco-traffickers that would have diluted the existing illicit enrichment law, the indictment of Miguel Rodriguez Orejuela, and an aerial eradication campaign against illicit cultivation, which the GOC has pressed in the face of large-scale protests by the cultivators. Colombia remains the only producer of coca currently permitting aerial eradication of illegal crops.

Individual police and other officials operating at the ground level show considerable determination to bring narcotics traffickers to justice. Sporadic and ambivalent support by some quarters of the Colombian political establishment prevents significant damage to the Colombian drug syndicates. In 1994, the GOC took no legislative steps to reverse the 1993 revision of the criminal procedures code which made it more difficult to bring mid-level and senior syndicate heads to justice. As a result, following the trend set in 1993, there were no arrests, incarcerations, or fines imposed on such traffickers. In addition, a number of previously convicted traffickers were able to benefit from significant reductions in their sentences pursuant to Colombia's woefully lenient sentencing laws. The GOC's inability to protect and use information provided to them by the U.S. Justice Department has made impossible a full resumption of our previous law enforcement evidence-sharing relationship. The GOC has been informed that evidence obtained in the United States will not be provided for any new criminal cases pending a successful resolution of old cases for which we have provided evidence.

In 1994, total drug seizures through interdiction efforts were above those of 1993 but did not reach the levels accomplished in 1991 (86.35 mt) as the USG had recommended to the GOC. Performance on eradication has improved, but results to date have not met expectations. Even with increased USG-provided air and herbicide assets, the amount of opium poppy

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eradicated was almost 50 percent less than in 1993. As for coca the numbers are impressive (4,500+ hectares vs. 793 ha in 1993). They might have been greater had not local grower protests temporarily brought the program to a near halt in December.

In excess of 15,000 active criminal corruption investigations have been filed by the Attorney General against government officials, including 21 Colombian members of Congress. In 1994, there were no senior government officials indicted for corruption. Although Colombia and the United States in 1980 signed a Mutual Legal Assistance Treaty, Colombia has failed to ratify the treaty, and it has not entered into force. The Colombian Congress did not pass bills introduced by the Samper administration to counter money laundering activities and asset retention by illegal enterprises and those who participate in them. There was insufficient progress to detect and remove those corrupt officials primarily involved in counternarcotics efforts. There continues to be a problem with drug syndicate control of sovereign territory, such as San Andres Island.

The performance of two successive governments of Colombia during 1994 on the counternarcotics front did not meet the expectations agreed upon between our governments in numerous official and non-official meetings on the subject. Certain performance criteria were set out with the GOC in order to advance our joint commitments to this problem. Despite a national election and promises by the new government, Colombia did not meet these performance criteria nor did it take adequate steps on its own to achieve full compliance with the goals and objectives established by the 1988 UN Convention. As a result, the activities of the Colombian drug syndicates continue to ensure that the flow of cocaine, heroin and marijuana from Colombia to the United States remains undiminished.

There was a demonstrable absence of support by some quarters of the political establishment to buttress the gains achieved by GOC institutions operating at the ground level. There were no efforts made in the areas of judicial reform, capture and incarceration of syndicate heads, or the strengthening of executive institutions to counter the successful efforts of the trafficking syndicates. Lack of action by the Congress on GOC-introduced legislation also remains a problem.

Vital U.S. national interests would be at risk if we were to deny Colombia certification. As Colombia is the primary source of cocaine to the United States, continued cooperation with the GOC is very important to this country. A vital national interest certification will ensure that USG policy and assistance remain focused on developing more effective Colombian anti-drug efforts, while acknowledging that GOC actions to date have not had the desired impact on the flow of illegal narcotics to the United States. Further, such a certification allows the United States to continue working closely with Colombia on the other important issues on our bilateral agenda: promoting human rights, advancing free trade, and cooperating in international fora.

If Colombia were not certified, the USG would be required to vote against multilateral development lending. Termination of such assistance would have an adverse effect on the Colombian economy, reducing the resources available to the GOC to combat narcotics trafficking and fostering conditions in which more Colombians would be encouraged to engage in illicit coca cultivation and trafficking. Moreover, Colombia would find it

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more difficult to get international donors to help fund its projected alternative development scheme. Columbia's planned purchase of a U.S. radar system using Export-Import Bank financing would be cancelled, further reducing Colombia's interdiction capabilities.

While the GOC needs to do more in its efforts against drugs, the decrease in narcotics cooperation that would likely attend denial of certification would result in even more narcotics entering this country. Decertification would result in strident nationalistic calls on the GOC to cease its CN cooperation with the USG. In short, the risks associated with denying certification to Colombia are greater than the risks associated with Colombia's failure in the last year to cooperate fully with the United States, or to take adequate steps on its own, to combat narcotics. Continued cooperation with the GOC will serve our drug control interests. Contrary to our national interests, the net result of decertification would be an increase in the flow of narcotics from Colombia to the United States and in the number of deaths among American drug victims.

#### **Lebanon**

Lebanon remained a major nexus for narcotics production and trafficking in 1994. Lebanese success in dramatically reducing the cultivation of both opium and cannabis in 1994 was offset by the continued processing of imported narcotics. Lebanese production facilities maintained pre-eradication levels of output. The Syrians have been cooperative in facilitating some advances in the Lebanese counternarcotics effort. However, no processing laboratories in Lebanon were dismantled in 1994 and the number of heroin and cocaine laboratories increased significantly. The volume of raw opium and cocaine flowing into Lebanon for processing and reexport offset the decreased volume of opium and cannabis cultivated in the Biqa' Valley.

In addition to significant successful eradication efforts, positive developments in Lebanon during 1994 include the lifting of immunity to permit prosecution of a legislator alleged to be corrupt, and the initiation of investigations of other public figures. There was also a marked increase in the number of small seizures and arrests reported in Lebanon, a major seizure of cocaine base in the port of Beirut was recorded, and a major importer of pharmaceuticals was also arrested on suspicion of diverting chemicals to illicit laboratories.

Although Lebanon has signalled its intent to accede, it is not yet a party to the 1988 UN Convention and has not met some of the goals and objectives of the Convention. Lebanon does not have a bilateral narcotics agreement with the United States.

The threat posed to the United States by drug trafficking and processing in Lebanon remains real. However, Lebanon's inability to confront in a wholly successful manner the narcotics threat, or to cooperate fully with the United States reflects, in part, the weakness of its institutions and regional political dynamics. Moreover, the stability, peace, and economic development of Lebanon are important to the stability of the Middle East region. The United States' vital national interests in continuing assistance to Lebanon and in furthering regional stability outweigh the threat posed by drug trafficking through Lebanon to the United States.

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Pakistan is both a producer and an important transit country for opiates destined for international drug markets. Laboratories in Pakistan's Northwest Frontier Province process opium grown there and in neighboring Afghanistan. The USG estimates that about one-tenth of heroin consumed in the United States originates in Southwest Asia, much of it produced in the illegal labs in Pakistan. During the 1993-94 crop year, Pakistan produced about 160 metric tons of opium from about 7,300 hectares of poppy.

Despite limited progress in some areas, in 1994 the Government of Pakistan laid the foundation for significant progress in early 1995.

The GOP extended, by decree, the 1930 Narcotics Law to the tribal areas, increased significantly seizures of opium and heroin, increased financial resources devoted to combatting illicit narcotics processing and trade, and in several meetings with Government of India officials agreed to expand counternarcotics cooperation. It also initiated twelve new asset seizure cases in 1994 and used the media to alert the public to the GOP counternarcotics efforts and the dangers of narcotics.

There was limited progress in other areas. Despite the GOP extension of the 1930 Narcotics Law to the frontier areas, few major drug traffickers were arrested or prosecuted during calendar year 1994. None of the new asset seizure cases has been prosecuted. Pakistan marginally extended the opium cultivation ban while eradication equaled only 1993's total eradication. Poppy cultivation was up 16 percent in 1994, although the overall level of cultivation has remained more or less constant over the last five years.

By year end, Pakistan had drafted and vetted legislation to bring Pakistani law into conformance with the 1988 UN Convention, to which Pakistan is a party, and to prevent drug money laundering. President Leghari promulgated the legislative package as a temporary decree January 9, effective for 120 days after disagreements in the cabinet precluded submission to the National Assembly. Legislative action will be required to make it permanent. Politically difficult efforts to curb corruption in GOP law enforcement agencies and the courts have been modest.

Building on the foundation laid in 1994, Pakistan intensified its anti-narcotics efforts in 1995. The government began an eradication campaign in Bajaur Agency in January 1995 and created a demand reduction office. It also announced on January 25 that it had frozen \$68 million in assets of narcotics traffickers. In a late January raid on a drug warehouse in the Northwest Frontier Province, 132 metric tons of drugs, primarily hashish, were seized. Recently, the GOP indicated a willingness to proceed expeditiously on outstanding extradition requests. Pakistan recently expanded the poppy ban in the NWFP.

Vital U.S. national interests could be damaged if Pakistan were to be denied certification. Pakistan is a strategically-located, moderate Islamic state with a nuclear weapons capability. Pakistan has provided troops for UN peacekeeping operations, most recently in Bosnia and Somalia, and has cooperated in the international fight against terrorists. The Government of Pakistan has also used its moderating influence with other Islamic countries. Decertification would be viewed in Pakistan as abandonment of a loyal ally and would endanger U.S./Pakistani dialogue and cooperation on these vital issues. It could also undermine Pakistan's ongoing efforts to ad-



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dress the drug problem, including cooperation by Pakistani anti-narcotics forces with DEA and the embassy narcotics affairs section.

The risk to these vital U.S. interests, and particularly our narcotics co-operation efforts, outweighs the potential gain from decertifying Pakistan for its inadequate efforts to combat narcotics. Pakistan is the conduit for opium and morphine base from Afghanistan, the second largest opium producer in the world. If the surge of Afghan drugs is to be stemmed, we need more Pakistani cooperation. Morale in Pakistan's anti-narcotics organizations could be adversely affected by decertification.

Although Pakistan is currently prohibited from receiving many forms of aid by the Pressler Amendment, denial of certification would add a requirement to vote against Pakistan in multilateral development banks. Access to such loans is vital to Pakistan. During the period of national interest certification, the USG will redouble its efforts to assist the GOP in improving its anti-narcotics performance to meet the criteria for full certification.

#### **Paraguay**

Paraguay is used as a transit route for cocaine shipped primarily from Bolivia, and perhaps increasingly from Colombia, to Argentina and Brazil for onward shipment to the United States and Europe. High-quality marijuana is exported to Argentina and Brazil and consumed within Paraguay. Paraguay is potentially a major money laundering center, based on its extensive re-export trade and its expanding and poorly regulated financial sector.

President Juan Carlos Wasmosy, Paraguay's first democratically-elected civilian President in over five decades, has stressed his personal commitment to combatting narcotics trafficking. He has continued authorization to stage USG counternarcotics surveillance aircraft in Paraguay and submitted to Congress legislation to control money laundering. Nevertheless, he failed in 1994 to act decisively when brought information relating to corruption within the GOP's counternarcotics leadership. As a result, Paraguay's co-operation in drug law enforcement was weak in the first half of the year, and one criminal investigation was very probably compromised due to corruption. A lack of political will to uncover what is widely believed to be extensive official corruption led to an overall weak drug control program. Given this situation, Paraguay cannot be considered to be in compliance with the goals of the 1987 bilateral counternarcotics agreement with the USG, which seeks to eliminate the illicit production, processing, trafficking, and consumption of narcotics in Paraguay and the transit of narcotics through contiguous territorial waters.

Cooperation briefly improved in mid-year, resulting in a successful joint investigation with the Drug Enforcement Administration that netted 756 kilos of cocaine, the largest seizure ever in Paraguay. In October, the head of the anti-narcotics secretariat (SENAD) was assassinated, apparently in a personal dispute, disrupting further drug enforcement investigations for the remainder of the year. The new head of SENAD has expressed commitment to a cooperative drug control effort and has promised to carry out widespread changes in the composition of SENAD and the national anti-narcotics police. The USG remains concerned, however, that the Paraguayan military's control over SENAD will cloud any efforts to change the organization fundamentally.

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The Government of Paraguay (GOP) made some progress toward meeting the goals and objectives of the 1988 UN Convention when the Paraguayan Congress ratified a financial information exchange agreement with the USG. However, until the GOP takes credible action to investigate allegations of corruption and to promote an aggressive investigative stance against those aiding drug trafficking, it cannot be considered to be fully cooperating with the United States, or to be taking adequate steps on its own, to comply with the goals and objectives of the 1988 UN Convention.

Despite its concerns about the GOP's lack of political will to seriously address drug trafficking, the USG is cognizant that Paraguay remains a young, fragile democracy. The consequences of decertification would likely have a significant adverse impact on Paraguay's ability to consolidate and sustain its fledgling democracy. The USG believes that its long-term counternarcotics goal for Paraguay, the promotion of strong, independent, credible institutions of government able to defeat drug trafficking, is best served by fully supporting the continued growth of democracy. Such support is in the vital national interest of the United States. Therefore, the vital U.S. national interest of promoting democracy outweighs the risks posed by the lack of full GOP cooperation on counternarcotics.

### Peru

Vital U.S. national interests would be harmed if we deny certification to Peru. Peru remains the largest source of coca leaf in the world, making continued cooperation with the Government of Peru very important to the United States. In 1994, there was no measurable reduction in the flow of coca base from Peru to Colombia and no systematic mature coca eradication. While the amount of coca under cultivation remained the same, coca leaf production increased by six percent due to new, more productive coca plantings in expanded new areas that are superseding older areas, such as the Huallaga Valley. A vital national interests certification will ensure that U.S. Government policy and assistance remain focused on reducing the cultivation of coca and implementing the Peruvian drug strategy promulgated in 1994. Further, such a certification will allow the United States to continue working closely with Peru on other important issues such as democracy, economic reform and human rights.

In September, the Government of Peru (GOP) approved a national drug plan that defines measures to eliminate illegal drug production, trafficking and abuse, including eliminating all coca cultivation destined for illicit uses. It also established timetables and assigned responsibilities for implementing sectoral plans and programs, including a national alternative development program. In June, the GOP passed a stringent law with strict penalties for any aspect of opium poppy cultivation trafficking or use, which requires destruction of any poppy found in Peru. The GOP cooperated on most counternarcotics matters contained in its bilateral narcotics agreement with the United States, and took some steps to comply with the goals and objectives of the 1988 UN Convention. However, it made no progress toward the critical goal of reducing mature coca cultivations.

In 1994, there was concrete evidence of refined cocaine HCl processing and shipment from Peru to Mexico by Peruvian trafficking organizations, raising the specter of Peru as a potentially large-scale cocaine refining and shipping center, similar to Colombia. Police and armed forces seized over 9 mt of cocaine base through November 1994, exceeding the 1993 total.

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Nearly 6 mt were seized by the armed forces, using police intelligence. In January 1994, at GOP request, Colombia arrested major Peruvian trafficker Demetrio Limonier Chavez-Penaherrera ("Vaticano"). He was tried in Peru and is serving a 30-year sentence. There were similar successes against other major Peruvian trafficking organizations. The Peruvian Air Force (FAP) continued to implement an air intercept program with A-37s and Tucano aircraft, despite the USG shutdown of intelligence sharing in May (which has now resumed pursuant to a U.S. Presidential Determination).

The GOP has cooperated with UN Drug Control Program alternative development projects in parts of the Huallaga, Aguaytia, Pachitea and Urubamba valleys. Resumption of international financial institution lending was followed by World Bank and Inter-American Development Bank projects to rehabilitate over 1500 kilometers of roads, and improved electrical power facilities in areas affected by the coca economy. Such improvements in infrastructure facilitate the production and transport of alternative licit crops. Coca seedbed eradication was resumed in July, and has had a measurable impact on efforts to reduce the cultivation of coca in specific areas.

Alternative development programs in or near coca-producing regions will set the stage for future coca crop reduction. The GOP must integrate alternative development efforts with actual net reduction of coca cultivation and prevent the expansion of new coca cultivation areas in order to comply with 1988 UN Convention goals and U.S. and Peruvian drug plans.

A decrease in narcotics cooperation with the GOP would result in more cocaine entering the United States. The risks associated with denying certification to Peru are greater than the risks associated with Peru's failure in the past year to cooperate fully with the United States, or take adequate steps on its own to reduce coca cultivations.

### **STATEMENT OF EXPLANATION**

#### **Afghanistan**

In 1994, opium poppy cultivation in Afghanistan increased dramatically amid ongoing civil war, widespread lawlessness, and poor economic opportunities. According to USG estimates, opium production in Afghanistan rose 38 percent to approximately 950 metric tons of opium in 1994. Cultivated hectareage rose 39 percent to 29,180 hectares. USG analysis indicates Afghanistan remains the second largest opium producer in the world.

The nominal Government of Afghanistan was unable to eradicate systematically poppy plants, investigate or prosecute traffickers, or impede the transportation of opium, morphine base, or other narcotics. Few provincial leaders apart from Haji Qadir, Governor of poppy-rich Nangarhar, attempted to disrupt the cultivation or trafficking through the areas under their control. Haji Qadir in late 1994 began a campaign of plowing under Nangarhar's newly-planted poppy fields. Despite a demonstration of poppy-plowing for the benefit of U.S. and other international officials, we are unable to judge the extent or efficacy of Qadir's campaign.

## Other Presidential Documents

Afghan traffickers continued development of new trafficking routes through the Newly Independent States, supplementing existing routes through Pakistan and Iran.

Reports continue to allege the direct involvement of some factional leaders, particularly small-scale independent "commanders," in narcotics production and trafficking and the indirect involvement of others who provide security to the narcotics trade in return for payment.

There is no functioning bilateral agreement between Afghanistan and the United States. While Afghanistan ratified the 1988 UN Convention in 1992, it has made virtually no progress in achieving its goals.

The tremendous increase in poppy cultivation during 1994, combined with the inadequate efforts to eliminate cultivation and trafficking, precludes a determination that Afghanistan has cooperated fully with the United States or taken adequate steps on its own to meet the goals and objectives established by the 1988 Convention. The core problem in Afghanistan is the absence of a functional central government. Although the USG has vital national interests in fostering the re-establishment of a functioning central government that could cooperate with us on regional security issues and drug eradication, USG assistance for such purposes falls largely outside the definition of U.S. assistance that would be cut off by denial of certification, at least this fiscal year. Accordingly, denial of certification is appropriate.

### Burma

Burma remains the world's largest producer of illicit opium and heroin and the Government of Burma (GOB) continues to treat counternarcotics efforts as a matter of secondary importance. Estimated opium production in 1993/94 was 2,030 metric tons and illicit poppy cultivation covered 146,600 hectares. Opium production fell by 21 percent, due principally to poor weather. There were some modest signs of greater government efforts in counternarcotics. One of the results of a Burmese Army campaign against the Shan United Army (SUA) of Khun Sa was to restrict the opium supply and drug trafficking routes of the SUA. The GOB has also begun to show signs of willingness to cooperate in counternarcotics efforts and has agreed to facilitate an opium yield survey in 1995 and to allow the UN Drug Control Program (UNDCP) to perform an aerial survey of project areas. Domestic enforcement efforts have also shown some marginal improvement with regional task forces under the Burmese police becoming more active in drug enforcement. These efforts, however, fall short of what is required to address seriously the drug problem in Burma.

The government's ability to suppress Burma's opium and heroin trade is severely limited by lack of access to and control over the areas in which most opium is grown and heroin processed. Well-equipped ethnic armies sheltered in these remote mountainous regions have been permitted wide-ranging, local autonomy in exchange for halting their active insurgencies against Rangoon. At the same time, opium poppy cultivation has soared in the base areas of the insurgent groups, especially in the Wa hills, despite nominal commitments by insurgents and the government alike that efforts would be made to reduce opium growing. Direct government complicity in the drug trade does not appear to be a problem among senior officials, but narcotics corruption is a problem among lower level officials.

### **Title 3—The President**

Multilateral drug control projects in enforcement and alternative development under the UNDCP involving cooperative efforts between Burma, China and Thailand are underway. These projects continue to receive support from the international community. Project scale is small, however, and the overall impact of these efforts on the huge opium cultivation problem in Burma has been extremely limited so far.

Burma is a party to the 1988 UN Convention and has enacted some legislation in conformity with the Convention, but has not made a strong effort to enforce these laws. There has been no bilateral counternarcotics agreement with the USG since the State Law and Order Restoration Council assumed power in 1988.

#### **Iran**

Iran is a major drug transit country. Reportedly, almost half the morphine base that arrives in Turkey monthly for processing as heroin passes through Iran. It also continues to grow opium poppy in remote provinces. Although the USG did not estimate production in 1994, the USG does not believe cultivation diminished significantly as we know of no eradication campaigns. The 1993 estimate was about 3,500 hectares of cultivation with a yield of between 35 and 70 metric tons of opium.

Iran is a party to the 1988 UN Convention and has undertaken at least some activities to fulfill the goals and objectives the Convention established. Since Iran and the United States do not have diplomatic relations and have not cooperated in counternarcotic efforts, the U.S. has been unable to ascertain the extent or adequacy of Iran's undertakings. There is no bilateral counternarcotics agreement in place between Iran's government and the USG.

According to both Iranian radio reports and Iranian government reports to the UN Drug Control Program (UNDCP), the Government of Iran (GOI) is waging a vigorous campaign to eradicate trafficking through Iran. Almost daily radio reports announce substantial morphine base and heroin seizures. Reportedly many individuals are arrested and later executed for drug trafficking. The USG cannot verify many of these reports as it has no representatives in Iran. UNDCP observers have viewed some seizures, including 30 tons of opium in one exhibit bond room. Interpol statistics for 1994, probably based on Iranian government reports, state Iran seized 112 tons of opium, 800 kilograms of heroin and 15 tons of morphine base. However, despite claims about the high level of Iran's counternarcotics effort, the level of drugs arriving in Syria and Turkey has not noticeably decreased.

UNDCP representatives have verified that Iran has fortified frontier guard posts with Pakistan and dug a trench to prevent crossing between posts in an effort to decrease trafficking. Intelligence reports suggest that border guards continue to be bribed to permit drug caravans through, however. The USG believes drug-related corruption continues to be a serious problem among Iran's law enforcement and security services. The USG does not know the extent to which Iran enforces its prominently advertised campaign to prevent and punish public corruption.

Human rights organizations and some Iranian exiles accuse Iran of executing dissidents on false charges of drug trafficking.

#### **Nigeria**

## Other Presidential Documents

A major transit country for Asian heroin and Latin American cocaine destined for the United States and numerous other points around the world, Nigeria remains the focal point for most West African trafficking organizations. Corruption in the Nigerian Drug Law Enforcement Agency (NDLEA) and other law enforcement agencies has not been addressed adequately, thereby hindering counternarcotics efforts. The export of Nigerian drug trafficking to Liberia and other West African counties is of particular concern. The NDLEA's focus in 1994 remained almost exclusively on drug couriers rather than on leaders of drug trafficking groups.

The Government of Nigeria (GON) did begin to show concern about international and domestic drug abuse during 1994. The GON prepared a draft national drug policy plan aimed at rooting out trafficking and substance abuse. The GON formed a ministerial level task force on drug abuse which will develop a drug control strategy by mid-1995. In late December, the GON appointed a special advisor on drugs, money laundering, and advance fee fraud whose task is to coordinate the anti-drug efforts of the NDLEA, the police, and the customs agency. In 1994, the GON returned to the United States three drug barons responsible for heroin rings.

These steps may have potential for significant improvement in Nigeria's anti-drug efforts. We will evaluate at an early stage if they and other steps are being implemented effectively and if these steps are followed by additional anti-drug measures.

While the United States welcomes the positive steps taken during the past year, Nigeria did not meet the goals and objectives of the 1988 UN Convention. Nigeria did not effectively implement its bilateral agreement with the United States.

Based on a complete and thorough review of the GON's counternarcotics actions throughout 1994, Nigeria's prominent role in international narcotics trafficking, and its failure in 1994 to make significant progress in meeting the goals and objectives of the 1988 UN Convention, the threat posed to the United States by drug trafficking by Nigerians through Nigeria and elsewhere justifies continued denial of certification.

### Syria

Syria is a transit point for narcotics flowing through the Middle East to Europe and, to a lesser extent, the United States. In addition, Syria continues to have a responsibility for assisting Lebanese authorities in ending drug production and trafficking through Lebanon because of the presence of some 30,000 Syrian troops in the Bekaa Valley. In 1994, Syria continued and expanded its cooperation with Lebanese authorities to eradicate opium poppy and cannabis cultivation in the Bekaa Valley, significantly reducing opium and cannabis cultivation. Syrian forces increased seizures of cocaine, heroin, and hashish and raised the number of arrests of drug traffickers in Syria and Lebanon. Syrian military authorities in Lebanon assisted in a significant seizure of cocaine base delivered to Beirut's port during 1994. Despite these efforts, however, the flow of narcotics did not diminish in 1994.

The Syrian government has reiterated its willingness to pursue all information regarding the possible production of narcotics in Lebanon and Syria. However, neither the Syrian nor the Lebanese authorities moved successfully against cocaine or heroin laboratories operating in either country.

### **Title 3—The President**

There were a significant number of arrests in Syria for drug-related offenses, but despite reports of individual Syrian military officials profiting from the drug trade in Lebanon, no corruption investigations or charges were brought against any Syrian government or military officials in 1994.

The USG does not provide Syria with bilateral assistance and does not support loans for Syria in multilateral institutions.

Syria is a party to the 1988 UN Convention. While Syria greatly improved its performance in reducing illicit cultivation and increased seizures in Lebanon, it did not meet some of the other goals and objectives of the 1988 UN Convention. Syria does not have a bilateral narcotics agreement with the United States.

#### **Memorandum of March 2, 1995**

##### ***Memorandum for the Secretary of Transportation [and] the United States Trade Representative***

Pursuant to section 6 of the Bus Regulatory Reform Act of 1982, 49 U.S.C. 10922(f) (1) and (2), I hereby extend for an additional 2 years both the moratorium imposed by that section and all actions taken by my predecessors under that section on the issuance of certificates or permits to motor carriers domiciled in, or owned or controlled by persons of, a contiguous foreign country. This action preserves the *status quo* and will maintain the moratorium through September 19, 1996, unless earlier revoked or modified.

This memorandum shall be published in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
Washington, March 2, 1995.

#### **Presidential Determination No. 95-16 of March 13, 1995**

##### **Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended**

##### ***Memorandum for the Secretary of State***

Pursuant to section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2801(c)(1), I hereby determine that it is important to the national interest that up to \$11,000,000 be made available from the U.S. Emergency Refugee and Migration Assistance Fund to meet the urgent and unexpected needs of victims of the conflict in Chechnya. These funds may be used as necessary to provide U.S. contributions in response to the appeals of international and intergovernmental organizations for funds to meet the urgent and unforeseen humanitarian needs of victims of the conflict in Chechnya.

## **Other Presidential Documents**

You are authorized and directed to inform the appropriate committees of the Congress of this determination and the obligation of funds under this authority and to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, March 13, 1995.*

### **Presidential Determination No. 95-17 of March 16, 1995**

## **Drawdown of Commodities and Services From the Inventory and Resources of the Department of Defense To Support Activities of the Palestinian Police Force**

### *Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by section 552(c)(2) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2348a(c)(2) (the "Act"), I hereby determine that:

(1) as a result of an unforeseen emergency, the provision of assistance under Chapter 6 of Part II of the Act in amounts in excess of funds otherwise available for such assistance is important to the national interests of the United States; and

(2) such unforeseen emergency requires the immediate provision of assistance under Chapter 6 of Part II of the Act.

I therefore direct the drawdown of commodities and services from the inventory and resources of the Department of Defense of an aggregate value not to exceed \$5 million to provide and transport 200 vehicles and concurrent spare parts to Israel for use by the Palestinian police force.

The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, March 16, 1995.*

### **Memorandum of April 4, 1995**

## **Delegation of Authority Under Section 106 of the International Narcotics Control Corrections Act of 1994 (Public Law 103-447)**

### *Memorandum for the Secretary of State*

By the authority vested in me by the Constitution and laws of the United States of America, including section 301 of title 3 of the United States



### **Title 3—The President**

Code, I hereby delegate to the Secretary of State the functions conferred upon the President by section 106 of the International Narcotics Control Corrections Act of 1994 (the "Act") (Public Law 103-447) with respect to funds made available from any source.

The functions delegated by this memorandum may be redelegated to the extent permitted by law.

This delegation of authority shall also apply to any amendments or successor legislation concerning the subject matter of this section.

You are authorized and directed to publish this memorandum in the *Federal Register*.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, April 4, 1995.*

**Memorandum of April 14, 1995**

#### **Certification Regarding Use of the Exchange Stabilization Fund and Federal Reserve in Relation to the Economic Crisis in Mexico**

##### *Memorandum for the Secretary of the Treasury*

On January 31, 1995, I approved a program of assistance to Mexico, in the form of swap facilities and securities guarantees in an amount not to exceed \$20 million, using the Exchange Stabilization Fund (the "ESF program").

By virtue of the authority vested in me by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, and section 406 of the Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995 (Public Law 104-6), I hereby certify that:

(1) There is no projected cost (as defined in the Federal Credit Reform Act of 1990) to the United States from the proposed swap transaction.

(2) All loans, credits, guarantees, and currency swaps to Mexico from the Exchange Stabilization Fund or the Federal Reserve System are adequately backed to ensure that all United States funds are repaid.

(3) The Government of Mexico is making progress in ensuring an independent central bank.

(4) Mexico has in effect a significant economic reform effort.

(5) The Executive Branch has provided the documents requested by House Resolution 80 adopted March 1, 1995, and described in paragraphs (1) through (28) of that Resolution. All documents identified as responsive to the Resolution have been provided to the entire House of Representatives. Pursuant to the terms of the Resolution, the Executive Branch has not provided those documents as to which the Executive Branch has informed the House that it would be inconsistent with the public interest to provide

## **Other Presidential Documents**

the documents to the House. Pending arrangements for safekeeping of classified material in a House facility, classified documents have been provided to the House by making them available at Executive Branch facilities. Each agency, including the Federal Reserve Board, has advised the House of the procedures employed by that agency to provide the documents requested by House Resolution 80.

I have been informed that the Board of Governors of the Federal Reserve System has provided the documents requested by House Resolution 80 and described in paragraphs (1) through (28) of that Resolution.

I hereby delegate to you the reporting requirement contained in section 406 of Public Law 104-6. You are authorized and requested to report this certification immediately to the Speaker of the House and appropriate congressional committees, as defined in section 407 of Public Law 104-6.

I also hereby delegate to you the reporting requirement contained in section 403 of Public Law 104-6.

You are authorized and directed to publish this memorandum in the **Federal Register**.

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,**

*Washington, April 14, 1995.*

### **Title 3—The President**

**Memorandum of April 21, 1995**

## **Regulatory Reform—Waiver of Penalties and Reduction of Reports**

*Memorandum for*  
*The Secretary of State*  
*The Secretary of the Treasury*  
*The Secretary of Defense*  
*The Attorney General*  
*The Secretary of the Interior*  
*The Secretary of Agriculture*  
*The Secretary of Commerce*  
*The Secretary of Labor*  
*The Secretary of Health and Human Services*  
*The Secretary of Housing and Urban Development*  
*The Secretary of Transportation*  
*The Secretary of Energy*  
*The Secretary of Education*  
*The Secretary of Veterans Affairs*  
*The Administrator, Environmental Protection Agency*  
*The Administrator, Small Business Administration*  
*The Secretary of the Army*  
*The Secretary of the Navy*  
*The Secretary of the Air Force*  
*The Director, Federal Emergency Management Agency*  
*The Administrator, National Aeronautics and Space Administration*  
*The Director, National Science Foundation*  
*The Acting Archivist of the United States*  
*The Administrator of General Services*  
*The Chair, Railroad Retirement Board*  
*The Chairperson, Architectural and Transportation Barriers Compliance Board*  
*The Executive Director, Pension Benefit Guaranty Corporation*

On March 16, I announced that the Administration would implement new policies to give compliance officials more flexibility in dealing with small business and to cut back on paperwork. These Governmentwide policies, as well as the specific agency actions I announced, are part of this Administration's continuing commitment to sensible regulatory reform. With your help and cooperation, we hope to move the Government toward a more flexible, effective, and user friendly approach to regulation.

**A. Actions:** This memorandum directs the designated department and agency heads to implement the policies set forth below.

1. **Authority to Waive Penalties.** (a) To the extent permitted by law, each agency shall use its discretion to modify the penalties for small businesses in the following situations. Agencies shall exercise their enforcement discretion to waive the imposition of all or a portion of a penalty when the violation is corrected within a time period appropriate to the violation in question. For those violations that may take longer to correct than the period set by the agency, the agency shall use its enforcement discretion to waive up to 100 percent of the financial penalties if the amounts waived are used to bring the entity into compliance. The provisions in paragraph

## Other Presidential Documents

1(a) of this memorandum shall apply only where there has been a good faith effort to comply with applicable regulations and the violation does not involve criminal wrongdoing or significant threat to health, safety, or the environment.

(b) Each agency shall, by June 15, 1995, submit a plan to the Director of the Office of Management and Budget ("Director") describing the actions it will take to implement the policies in paragraph 1(a) of this memorandum. The plan shall provide that the agency will implement the policies described in paragraph 1(a) of this memorandum on or before July 14, 1995. Plans should include information on how notification will be given to frontline workers and small businesses.

**2. Cutting Frequency of Reports.** (a) Each agency shall reduce by one-half the frequency of the regularly scheduled reports that the public is required, by rule or by policy, to provide to the Government (from quarterly to semi-annually, from semiannually to annually, etc.), unless the department or agency head determines that such action is not legally permissible; would not adequately protect health, safety, or the environment; would be inconsistent with achieving regulatory flexibility or reducing regulatory burdens; or would impede the effective administration of the agency's program. The duty to make such determinations shall be nondelegable.

(b) Each agency shall, by June 15, 1995, submit a plan to the Director describing the actions it will take to implement the policies in paragraph 2(a), including a copy of any determination that certain reports are excluded.

**B. Application and Scope:** 1. The Director may issue further guidance as necessary to carry out the purposes of this memorandum.

2. This memorandum does not apply to matters related to law enforcement, national security, or foreign affairs, the importation or exportation of prohibited or restricted items, Government taxes, duties, fees, revenues, or receipts; nor does it apply to agencies (or components thereof) whose principal purpose is the collection, analysis, and dissemination of statistical information.

3. This memorandum is not intended, and should not be construed, to create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or its employees.

4. The Director of the Office of Management and Budget is authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,

Washington, April 21, 1995.

### **Title 3—The President**

**Presidential Determination No. 95-18 of April 21, 1995**

#### **Determination Under Section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as Amended: People's Republic of China**

##### *Memorandum for the Secretary of State*

Pursuant to Section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as amended, I determine that it is in the national interest for the Export-Import Bank of the United States to extend a loan in the amount of approximately \$237,253,000 to the People's Republic of China in connection with the purchase of U.S. equipment and services for the expansion of a power plant in Dalian, Liaoning Province.

You are authorized and directed to report this determination to the Congress and publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, April 21, 1995.*

**Presidential Determination No. 95-19 of April 21, 1995**

#### **Determination Under Section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as Amended: People's Republic of China**

##### *Memorandum for the Secretary of State*

Pursuant to Section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as amended, I determine that it is in the national interest for the Export-Import Bank of the United States to extend a loan in the amount of approximately \$278,120,000 to the People's Republic of China in connection with the purchase of U.S. equipment and services for the construction of a power plant in Dandong, Liaoning Province.

You are authorized and directed to report this determination to the Congress and publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, April 21, 1995.*

**Presidential Determination No. 95-20 of May 1, 1995**

#### **Suspending Prohibitions on Certain Sales and Leases Under the Anti-Economic Discrimination Act of 1994**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by section 564 of the Foreign Relations Authorization Act ("the Act"), Fiscal Years 1994 and 1995, Public Law 103-236, as amended, I hereby:

## Other Presidential Documents

(1) determine and certify that the following countries do not currently maintain a policy or practice of sending letters to United States firms requesting compliance with, or soliciting information regarding compliance with, the Arab League secondary or tertiary boycott of Israel:

Djibouti, Egypt, Morocco, Nigeria, Pakistan, Somalia, Sri Lanka, Tanzania, Tunisia, and Uganda.

(2) determine that suspension of the application of section 564(a) of the Act to the following countries until May 1, 1996, is in the national interest of the United States, and will promote the objectives of section 564 to eliminate the Arab boycott:

Algeria, Bahrain, Bangladesh, Jordan, Kuwait, Mauritania, Oman, Qatar, Saudi Arabia, and the United Arab Emirates.

(3) determine that it is in the national security interest of the United States to suspend until May 1, 1996, the application of subsection (a) of section 564 of the Act with respect to Lebanon.

You are authorized and directed to report this determination to the appropriate committees of the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, May 1, 1995.*

### Notice of May 10, 1995

### **Continuation of Emergency With Respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs**

On May 30, 1992, by Executive Order No. 12808, President Bush declared a national emergency to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Governments of Serbia and Montenegro, blocking all property and interests in property of those Governments. President Bush took additional measures to prohibit trade and other transactions with the Federal Republic of Yugoslavia (Serbia and Montenegro) by Executive Orders Nos. 12810 and 12831, issued on June 5, 1992, and January 15, 1993, respectively. On April 25, 1993, I issued Executive Order No. 12846, blocking the property and interests in property of all commercial, industrial, or public utility undertakings or entities organized or located in the Federal Republic of Yugoslavia (Serbia and Montenegro), and prohibiting trade-related transactions by United States persons involving those areas of the Republic of Bosnia and Herzegovina controlled by Bosnian Serb forces and the United Nations Protected Areas in the Republic of Croatia. On October 25, 1994, because of the actions and policies of the Bosnian Serbs, I expanded the scope of the national emergency to block the property of the Bosnian Serb forces and the authorities in the territory that they control within the Republic of Bosnia and Herzegovina, as well as the property of any entity organized or located in, or controlled by any person in, or resident in, those areas.

### **Title 3—The President**

The Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) has continued its actions and policies in support of groups seizing and attempting to seize territory in the Republics of Croatia and Bosnia and Herzegovina by force and violence, and because the Bosnian Serbs have continued their actions and policies, including their refusal to accept the proposed territorial settlement of the conflict in the Republic of Bosnia and Herzegovina, the national emergency declared on May 30, 1992, and the measures adopted pursuant thereto to deal with that emergency, must continue in effect beyond May 30, 1995. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serb forces and those areas of the Republic of Bosnia and Herzegovina under the control of the Bosnian Serb forces.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,

May 10, 1995.

**Presidential Determination No. 95-21 of May 16, 1995**

#### **Transfer of \$3.0 Million in FY 1995 Economic Support Funds to the Peacekeeping Operations Account to Support African Peacekeeping Efforts in Liberia**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by section 610(a) of the Foreign Assistance Act of 1961, as amended (the "Act"), I hereby determine that it is necessary for the purposes of the Act that \$3.0 million of funds made available under Chapter 4 of Part II of the Act, be transferred to, and consolidated with, funds made available for Peacekeeping Operations under Chapter 6 of Part II of the Act.

I hereby authorize the use in fiscal year 1995 of the aforesaid \$3.0 million in funds made available above under Chapter 4 of Part II of the Act to provide peacekeeping assistance to support the Economic Community of West African States Cease-Fire Monitoring Group (ECOMOG), as well as Tanzanian, Ugandan, and ECOMOG peacekeeping efforts in Liberia.

You are hereby authorized and directed to report this determination immediately to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,

Washington, May 16, 1995.

## **Other Presidential Documents**

**Memorandum of May 17, 1995**

### **Certification Regarding Use of the Exchange Stabilization Fund and Federal Reserve in Relation to the Economic Crisis in Mexico**

#### *Memorandum for the Secretary of the Treasury*

On January 31, 1995, I approved a program of assistance to Mexico, in the form of swap facilities and securities guarantees in an amount not to exceed \$20 million, using the Exchange Stabilization Fund (the "ESF program").

By virtue of the authority vested in me by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, and section 406 of the Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995 (Public Law 104-6), I hereby certify that:

(1) There is no projected cost (as defined in the Federal Credit Reform Act of 1990) to the United States from the proposed swap transaction.

(2) All loans, credits, guarantees, and currency swaps to Mexico from the Exchange Stabilization Fund or the Federal Reserve System are adequately backed to ensure that all United States funds are repaid.

(3) The Government of Mexico is making progress in ensuring an independent central bank.

(4) Mexico has in effect a significant economic reform effort.

(5) The Executive Branch has provided the documents requested by House Resolution 80 adopted March 1, 1995, and described in paragraphs (1) through (28) of that Resolution. All documents identified as responsive to the Resolution have been provided to the entire House of Representatives. Pursuant to the terms of the Resolution, the Executive Branch has not provided those documents as to which the Executive Branch has informed the House that it would be inconsistent with the public interest to provide the documents to the House. Pursuant to arrangements for safekeeping of classified materials in House facilities, classified documents have been provided to the House by making them available either at designated, secure House facilities or at Executive Branch facilities. Each agency, including the Federal Reserve Board, has advised the House of the procedures employed by that agency to provide the documents requested by House Resolution 80.

I have been informed that the Board of Governors of the Federal Reserve System has provided the documents requested by House Resolution 80 and described in paragraphs (1) through (28) of that Resolution.

I hereby delegate to you the reporting requirement contained in section 406 of Public Law 104-6. You are authorized and requested to report this certification immediately to the Speaker of the House and appropriate congressional committees, as defined in section 407 of Public Law 104-6.

I also hereby delegate to you the reporting requirement contained in section 403 of Public Law 104-6.



### **Title 3—The President**

**You are authorized and directed to publish this memorandum in the Federal Register.**

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,  
Washington, May 17, 1995.**

#### **Memorandum of May 19, 1995**

#### **Delegation of Responsibilities Under Section 509 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236)**

##### *Memorandum for the Secretary of Defense*

By the authority vested in me by the Constitution and laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate to the Secretary of Defense the functions conferred upon the President by section 509 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), to transfer, with the concurrence of the Secretary of State, to the Republic of Korea, in return for concessions to be negotiated by the Secretary of Defense, any or all of the items described in paragraph (2) of section 509 of that Act, subject to the conditions, requirements and limitations set forth in section 509 of said Act.

Any reference in this delegation of authority to any Act shall be deemed to be a reference to such Act as amended from time to time.

The authority delegated to the Secretary of Defense may be redelegated within the Department of Defense.

**You are authorized and directed to publish this memorandum in the Federal Register.**

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,  
Washington, May 19, 1995.**

#### **Presidential Determination No. 95-22 of May 19, 1995**

#### **Presidential Determination Under Subsections 402(a) and 409(a) of the Trade Act of 1974, as Amended—Emigration Policies of the Republic of Romania**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by subsections 402(a) and 409(a) of the Trade Act of 1974 (19 U.S.C. 2432(a) and 2439(a)) ("the Act"), I determine that the Republic of Romania is not in violation of paragraph (1), (2) or (3) of subsection 402(a) of the Act or paragraph (1), (2) or (3) of subsection 409(a) of the Act.

## **Other Presidential Documents**

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, May 19, 1995.*

### **Presidential Determination No. 95-23 of June 2, 1995**

#### **Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me under the Trade Act of 1974, as amended, Public Law 93-618, 88 Stat. 1978 (hereinafter "the Act"), I determine, pursuant to subsection 402(d)(1) of the Act, 19 U.S.C. 2432(d)(1), that the further extension of the waiver authority granted by subsection 402(c) of the Act will substantially promote the objectives of section 402 of the Act. I further determine that the continuation of the waiver applicable to the People's Republic of China will substantially promote the objectives of section 402 of the Act.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 2, 1995.*

### **Presidential Determination No. 95-24 of June 2, 1995**

#### **Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority**

##### *Memorandum for the Secretary of State*

Pursuant to subsection 402(d)(1) of the Trade Act of 1974, as amended (the "Act"), I determine that the further extension of the waiver authority granted by subsection 402(c) of the Act will substantially promote the objectives of section 402 of the Act. I further determine that the continuation of the waivers applicable to Albania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Mongolia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan will substantially promote the objectives of section 402 of the Act.

You are authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 2, 1995.*

### **Title 3—The President**

**Presidential Determination No. 95-25 of June 5, 1995**

#### **Assistance Program for New Independent States of the Former Soviet Union**

##### *Memorandum for the Secretary of State*

Pursuant to section 577 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Titles I-V of Public Law 103-87), I hereby certify that Russia and the Commonwealth of Independent States continue to make substantial progress toward the withdrawal of their armed forces from Latvia and Estonia.

You are authorized and directed to notify the Congress of this certification and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 5, 1995.*

##### **Memorandum of June 6, 1995**

#### **Delegation of Certain Presidential Authorities Under the African Conflict Resolution Act of 1994**

##### *Memorandum for the Administrator of the Agency for International Development*

By virtue of the authority vested in me by the Constitution and laws of the United States of America, including section 301 of title 3 of the United States Code, I hereby delegate the authorities vested in the President under sections 8 and 9 of the African Conflict Resolution Act (Public Law 103-381, 108 Stat. 3516) to the Administrator of the Agency for International Development.

The functions delegated by this memorandum may be redelegated within the Agency for International Development, as appropriate.

The Administrator of the Agency for International Development is authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 6, 1995.*

## Other Presidential Documents

Presidential Determination No. 95-26 of June 8, 1995

### **Certification To Permit U.S. Contributions to the International Fund for Ireland for Fiscal Years 1994 and 1995**

#### *Memorandum for the Secretary of State*

Pursuant to section 5(c) of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415), I hereby certify that I am satisfied that: (1) the Board of the International Fund for Ireland as established pursuant to the Anglo-Irish Agreement of November 15, 1985, is, as a whole, broadly representative of the interests of the communities in Ireland and Northern Ireland; and (2) disbursements from the International Fund (a) will be distributed in accordance with the principle of equality of opportunity and non-discrimination in employment, without regard to religious affiliation, and (b) will address the needs of both communities in Northern Ireland.

You are authorized and directed to transmit this determination and certification to the Congress, together with the Memorandum of Explanation, and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 8, 1995.*

#### **MEMORANDUM OF EXPLANATION FOR CERTIFICATION OF THE FISCAL YEARS 1994 AND 1995 U.S. CONTRIBUTION TO THE INTERNATIONAL FUND FOR IRELAND**

##### **I. Introduction**

This memorandum has been prepared to comply with legislative requirements associated with the Anglo-Irish Agreement Support Act of 1986, Public Law 99-415 (the "Act").

Section 5(c) of the Act requires that each fiscal year, prior to contributions to the International Fund for Ireland ("IFI" or the "Fund"), the President certify to the Congress that he is satisfied the following conditions have been met:

A. The Board of the International Fund for Ireland, as a whole, is broadly representative of the interests of the communities of the Republic of Ireland and Northern Ireland; and

B. Disbursements from the IFI:

1. will be distributed in accordance with the principle of equality of opportunity and nondiscrimination in employment, without regard to religious affiliation; and

2. will address the needs of both communities in Northern Ireland.

##### **II. Background**

A. *Establishment and Operation of the Fund*

### **Title 3—The President**

The International Fund for Ireland was formally established as an independent entity on December 12, 1986, in keeping with the provisions of the Anglo-Irish Agreement of November 15, 1985. The overall objectives of the Fund are to promote economic and social advancement and to encourage contact, dialogue, and reconciliation between nationalists and unionists throughout Ireland and Northern Ireland. The Anglo-Irish Agreement states that the Fund shall accomplish these objectives by stimulating private investment and encouraging voluntary efforts with special emphasis on projects promoting communal reconciliation. The Agreement also stipulated the establishment of two investment companies under the Fund.

The Fund is an independent entity which is administered by a Board of Directors appointed jointly by the British and Irish governments. The Board is guided by a Joint Advisory Committee consisting of senior civil servants drawn equally from Northern Ireland and the Republic of Ireland. The Advisory Committee's principal role is to advise the Board on the economic and social policies and priorities of the two governments and to maximize the impact of assistance by avoiding duplication of activity. The Board is supported by a Secretariat composed of administrators from the two jurisdictions. The Secretariat is headed by two Joint Directors General, one from each jurisdiction. The Fund's operating expenses are paid by the British and Irish governments.

The Fund's activities are developed primarily through program teams in the following areas: Business Enterprise, Tourism, Urban Development, Agriculture and Rural Development, Science and Technology, the Wider Horizons Program, and the Disadvantaged Areas Initiative. These program teams are composed of an equal number of representatives from Northern Ireland and the Republic of Ireland. The teams are administered by joint chairmen who keep the Board of Directors apprised of their respective program teams' activities.

In an effort to focus on the more disadvantaged areas, the Fund directs 70–80 percent of the resources available in the program sectors to disadvantaged areas in Northern Ireland. The Fund has also created two additional program schemes: Community Economic Regeneration, which focuses on community driven regeneration of economic activity in urban areas; and Community Regeneration and Improvement Special Program (CRISP), which is designated for disadvantaged areas in Northern Ireland and focuses the Fund's resources on smaller towns and villages by linking a series of projects from the various program areas together.

#### ***B. Fund Contributions***

The Fund receives contributions directly from bilateral and multilateral donors. U.S. obligations to date total \$209.1 million. Under the appropriate Foreign Operations, Export Financing, and Related Programs Appropriations Acts, Congress appropriated an additional \$39.2 million for FY 1994 and FY 1995 funds. Since 1989, the European Community has disbursed 15 million European Currency Units (approximately US\$20 million) per year to the Fund, totaling \$108 million to date, and will contribute \$60 million in FY 1995. New Zealand contributed about \$0.6 million in FY 1995 and Canada has provided approximately \$7.5 million.

Each donor is entitled to appoint a representative to attend all Board meetings as a non-voting observer. Observers receive all Board papers and provide guidance to the Fund on behalf of their respective donor countries.

## Other Presidential Documents

### *C. Program Implementation*

Since its establishment in 1986, the Fund has approved a total of 3,500 projects and budgeted over \$399 million to its various program areas. Some \$358 million has been committed to approved projects within the various programs. The Fund has disbursed approximately \$279 million to ongoing and completed projects, including \$21.7 million to the two investment companies.

Individual project applications continue to represent a majority of the projects for funding. However, the program teams are assisting various communities in identifying and preparing proposals through regular contact and consultation with a number of area Economic Development Consultants. The Consultants serve as a point of contact for local communities, provide technical assistance and advice, and help to speed program implementation.

The Fund has put into place a computerized system of recording key data for the projects. Information, such as employment generation, leveraging, and geographical distribution of funds, is collected and logged into the new system. The information system has assisted the IFI in developing its capacity to analyze and report on the economic and social indicators of the Fund's achievements.

Disbursement procedures have also been established for the U.S. contribution to the Fund. In October 1992, USAID established a Letter of Credit mechanism to meet the legislative requirement to disburse funds at the minimum rate necessary to make timely payments for projects and activities. The Letter of Credit has allowed the U.S. Government to exercise greater control over money distributed to the Fund by transferring resources only when needed, and thereby minimizing interest costs to the U.S. Treasury.

### *D. Job Creation and Additional Investment*

Two elements identified as priorities of the U.S. Government in its contribution to the Fund are job creation and the leveraging of additional investment into the economy. Both elements have been adopted by the Fund in the implementation of its program.

The Fund agrees that job creation is an essential factor in determining the allocation of Fund resources and clearly places an emphasis on the job creation potential of each project considered for funding. The Fund estimates that its activities directly resulted in the creation of about 20,500 new jobs and indirectly resulted in the creation of an additional 8,500 jobs. Construction activities have also resulted in 25,500 person-years of temporary employment.

The Fund has also been successful in leveraging new investment. Of the \$397 million of Fund resources committed to approved projects, another \$353 million and \$264 million of private and government resources, respectively, have been invested. Thus every dollar that the Fund has committed has resulted in an additional \$1.70 committed from other sources.

## **III. Presidential Certification Elements**

Each fiscal year, prior to the United States making a contribution to the Fund, the President must certify to Congress that he is satisfied that the Fund has complied with the legislative requirements in the Act. This Cer-

### **Title 3—The President**

tification covers both the FY 1994 and FY 1995 contributions to the Fund. The following discusses the required elements.

#### **A. Board Representation**

The Board of Directors consists of seven members; three nominated by the British government, three nominated by the Irish government, and the Chairman. Board members are approved by both sides through consultations between the two governments. The Board, by design and agreement, is representative of the communities in both Northern Ireland and Ireland. The Board meets once every two months, primarily to review policy and procedural issues and to approve or reject proposals forwarded by the program teams for consideration. In addition, each Board member is responsible for coordinating with specific program teams and is consulted on a regular basis.

The Board members are as follows:

**Mr. William T. McCarter (Chairman)** is a prominent businessman in the textile industry. He is the Managing Director of Fruit of the Loom, International Ltd. with plants in Northern Ireland and the border County Donegal in the Republic of Ireland. Mr. McCarter was born in Londonderry, graduated from Trinity College, Dublin and from the Massachusetts Institute of Technology. He now lives in Buncrana, County Donegal.

**Mr. John E. Craig, OBE** is a retired merchant banker with extensive experience in London. He is Chairman of Powerscreen International a very successful exporting firm based in County Tyrone. Mr. Craig was born in Dublin.

**Mr. Paddy Duffy** is a prominent lawyer with offices in a number of rural towns in Northern Ireland. He is active in the local credit union movement and Chairman of Dungannon and District Cooperative Society. Mr. Duffy is a former Social Democratic Labor Party councillor and Senator in the Northern Ireland Assembly.

**Mr. Pat Kenny** is an accountant by profession and a partner in the firm Deloitte, Touche in Dublin.

**Ms. Joan McCrum** until recently was the Chief Executive of the Housing Rights Association, a voluntary housing advice organization. Ms. McCrum now works for the Simon Community, a voluntary charity body, and acts as an independent consultant.

**Ms. Caitriona Murphy** is a former senior public official in government service in Dublin and is now a managing director for the Allied Irish Bank in Dublin.

**Mr. Brian A. Slowey** was, until his recent retirement, a managing director of Guinness Ireland, and the Chairman of Aer Lingus.

As in the past, the present Board is noted for its professionalism and integrity in setting policy and approving projects. The Board has taken an active role in promoting the Fund throughout Northern Ireland and Republic of Ireland as well as internationally.

#### **B. Disbursements From the International Fund**

The Fund's structure and policy framework ensure that resources are distributed in accordance with the principle of equality of opportunity and nondiscrimination in employment, without regard to religious affiliation,

## Other Presidential Documents

and that these resources address the needs of both communities in Northern Ireland and the six border counties of the Republic of Ireland.

The Board has developed its policies for disbursement of resources taking into account the terms of the Agreement under which it was established, the wishes of the donor countries, and the need to supplement the economic and social policies of the two governments. The Board structure and policy framework is manifested in the internal checks and balances in the Fund's appraisal, approval, and management systems. Also, the wide geographical distribution of approved projects enhances the Fund's efforts to meet the needs of both communities. The Fund's programs have created jobs, leveraged private investments, and fostered reconciliation. In addition, the Fund has made concerted efforts to target the most disadvantaged areas through CRISP and other special programs as well as the through the work of development consultants.

*1. Distribution of disbursements in accordance with the principle of equality of opportunity and nondiscrimination in employment, without regard to religious affiliation.*

a. *Structure of the Fund.* The Republic of Ireland and Northern Ireland are equally represented by members of the Fund's Board of Directors, Advisory Committee, Secretariat, and Program Teams. These individuals are highly respected for their professional competence, integrity, and commitment to the Fund's objectives. The Advisory Committee, as mentioned above, is composed of senior officials of both the British and Irish governments and provides guidance and support for the Board. The Secretariat staff maintains the day-to-day operations of the Fund and has been carefully selected for their administrative skills and judgement. The Program Teams are staffed with technical and administrative professionals who are committed to the Fund's operating principles of non-discrimination. Review of the IFI portfolio of projects and visits to selected sites by Agency for International Development (USAID) personnel have confirmed that the Fund has assembled a competent and professional staff who have cultivated and exercised sound project approval and management procedures.

b. *Policy Framework.* All Fund publications and solicitations for proposals clearly spell out the Fund's commitment to equality of opportunity and nondiscrimination. All successful applicants are required by the Board to agree to the following prior to receiving an award:

Acceptance of a grant or loan under this scheme will be deemed to signify the applicant's acceptance of the principle of equality of opportunity and non-discrimination in employment, without regard to religious affiliation and that the applicant will be expected to use the money in accordance with this principle.

Letters of offer clearly state that any violation of this agreement will require immediate repayment of resources. To date, the Fund has not had to request repayment.

Equality of opportunity requirements are also enforced in Northern Ireland under the Fair Employment (Northern Ireland) Act of 1989. This act makes employment discrimination on the grounds of religious belief or public opinion illegal. The Act is designed to eradicate job discrimination and ensure the active practice of fair employment opportunity throughout Northern Ireland.



### **Title 3—The President**

*c. Project Appraisal and Approval.* The Fund has instituted a clear and systematic appraisal and approval system. Each Program Team has signed agreements with the Fund Secretariat that spell out the criteria upon which all applications are made. As mentioned above, the Program Teams consist of officials from various government agencies, both North and South, which, in close cooperation with the Secretariat, help to bring the programs to fruition. The Team members, chosen for their expertise in their particular sector, review each project based on its merit using standard economic and financial analysis tools, as well as criteria relevant to their technical field.

Projects must also be consistent with the economic and social policies and priorities of the British and Irish governments. Each government reserves the right to veto support for activities proposed which violate their stated policies. No resources are to be used, for example, to improve the standing of or to further the goals of any paramilitary organization, either directly or indirectly. The Fund, the British government, and the Irish government are, however, committed to supporting activities which contribute to viable, self-sustaining growth, prosperity, and stability. In addition, it is hoped that the projects will have a positive impact on increasing respect for human rights and fundamental freedoms for citizens of both traditions from Northern Ireland and the Republic.

Thus, within the Fund's policy guidelines and the established criteria for the evaluation and approval process, projects are accepted for funding, rejected, or forwarded to an appropriate government agency for possible support from existing government programs. Applications are processed in a timely and efficient manner, consistent with a proper and prudent review of projects. In addition, of course, a considerable responsibility rests with the individual promoters of projects who must take the lead in completing their share of the financial package and implementing the project to a stage where payment can be made.

Each decision to approve, disapprove, or forward a project to a government agency requires the recommendation of the relevant program team, the endorsement of the two Board members supervising the team, and the approval of the Fund Secretariat. Any projects which are controversial, raise policy issues, or exceed the program team's delegation of authority, are forwarded to the Board for consideration.

Equality of opportunity and nondiscrimination are the guiding principles under which the Fund operates. Projects are reviewed on merit alone, without regard to political or religious affiliations of the applicants. The cross-community composition of the Fund Board, the Secretariat, and the program teams ensures the realization of these principles.

#### *2. Addressing the needs of both communities in Northern Ireland.*

In order to comply with British law, the principles under which the Fund was established, and the U.S. Government priorities under which our contributions are made, religious affiliation is not a factor in the approval process. It is generally known, however, which religious majority is predominant within a specific geographical area.

Past program review visits have confirmed that through Fund activities, members of both communities have been able to experience for the first time a working or recreational experience with people of the opposite tradition. Such liaisons have produced cross-community boards of directors

## **Other Presidential Documents**

(under such organizations as the enterprise centers), cross-community enterprise matchmaking, cross-border joint ventures (such as the Derry-Galway-Boston Trade Fair), and genuine friendships. Other projects, (such as the Shannon-Erne Waterway) have been able to bring people of various communities together to promote their areas and to provide facilities to attract visitors and holiday markets. Because of these improvements, The Waterway Area was awarded a Tourism Award from the British Guild of Travel Writers. The civil servants of both governments in laboring together on the Fund have also developed excellent working, as well as personal, relationships with their counterparts. Such interaction contributes to reconciliation through dialogue and cooperation.

During a program review visit in November of 1994, USAID officials observed that the Fund is highly regarded by moderates from both the Catholic and Protestant communities for the work they have done and the attitudinal changes they have been able to stimulate. The Springboard-training and reconciliation program helps to promote these changes in younger people. This curriculum teaches courses in order to develop vocational training and mixes students from the West Belfast's Catholic and Protestant communities, allowing them to work together. There has been a concerted effort to reach out to those who were skeptical of the Fund activities, specifically in the Protestant communities, and this effort continues.

The Fund has made a concerted effort to direct assistance to the more economically disadvantaged areas. Special programs, such as CRISP, have been developed toward this end. The work of the development consultants is important in assisting the disadvantaged communities to develop ideas and proposals to help themselves through the Fund. The consultants participate in establishing local groups, ensure cross-community participation whenever possible, and assist groups in creating viable projects. In many cases, however, the IFI merely serves as a catalyst for community initiatives that have been developing independently of the Fund. The consultants are also instrumental in contributing to a greater overall understanding and positive perception of the Fund among the people of both communities.

### **IV. Conclusion**

A review of Fund activities and a visit to Republic of Ireland and Northern Ireland by a senior USAID officer confirmed that the Board of Directors has maintained policies and procedures designed to ensure that both traditions benefit from Fund activities. The Board's operating principles ensure that project decisions are made on the basis of merit. In addition, it has been concluded that Fund resources are being distributed in a manner consistent with its mandate as stated above. All grantees are made aware of the principles of equality of opportunity and nondiscrimination in employment, stipulated by acceptance of grant monies.

This report therefore concludes that:

- The Board of Directors of the International Fund for Ireland, as a whole, is broadly representative of the interests of the communities in the Republic of Ireland and Northern Ireland.
- Monies from the Fund are distributed in accordance with the principles of equality of opportunity and nondiscrimination in employment, without regard to religious affiliation, and address the needs of both communities in Northern Ireland.

### **Title 3—The President**

**Presidential Determination No. 95-27 of June 23, 1995**

## **Certification of Jordan Under Section 130(c) of the International Security and Development Cooperation Act of 1985**

### *Memorandum for the Secretary of State*

Pursuant to section 130(c) of the International Security and Development Cooperation Act of 1985 (Public Law 99-83), I hereby certify that Jordan is publicly committed to the recognition of Israel and to negotiate promptly and directly with Israel under basic tenets of United Nations Security Council Resolutions 242 and 338.

You are authorized and directed to report this certification, together with the attached justification, to the Speaker of the House of Representatives and the Chairman of the Senate Foreign Relations Committee. You are further authorized and directed to publish this determination, together with the attached justification, in the **Federal Register**.

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,**  
*Washington, June 23, 1995.*

### **MEMORANDUM OF JUSTIFICATION**

The Government of Jordan has requested the purchase of six UH-60L BLACKHAWK utility helicopters and related supplies and support at a total value of \$87 million. These helicopters will be transferred to the Jordanian military for intracountry military transportation requirements including transportation for its National Command Authority.

By signing a peace treaty with Israel October 26, 1994, Jordan has taken a historic step to promote peace in the Middle East. However, the process of creating a lasting peace in the region did not end with the signing of the October 26 treaty. Rather, the Jordanians must continue negotiations with Israel and other parties in the region to continue the peace process. These negotiations cannot take place absent the movement of King Hussein and other officials. These helicopters will be primarily used for VIP transport, for the King and other high-level officials, and for accompanying security details. These BLACKHAWKS will replace comparable, older BLACKHAWKS currently used for the King.

The International Security and Development Cooperation Act of 1985, PL 99-83, Section 130(c) states: "Any notification made pursuant to section 36(b) of the Arms Export Control Act with respect to a proposed sale to Jordan of United States advanced aircraft, new air defense systems, or other new advanced military weapons shall be accompanied by a Presidential certification of Jordan's public commitment to the recognition of Israel and to negotiate promptly and directly with Israel under the basic tenets of United Nations Security Council Resolutions 242 and 338."

This requirement has been fulfilled by the October 26, 1994, Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan,

## **Other Presidential Documents**

which explicitly mentions the two United Nations resolutions in its preamble as the basis upon which the treaty has been negotiated: "Aiming at the achievement of a just, lasting and comprehensive peace in the Middle East based on Security Council Resolutions 242 and 338 in all their aspects." Nonetheless this Section of Law remains in force. We intend to seek its repeal at the earliest opportunity.

**Presidential Determination No. 95-28 of June 23, 1995**

### **Drawdown of the Commodities and Services from the Inventory and Resources of the Departments of Defense, Justice, Treasury and State To Support Accelerated Training and Equipping of Haitian Police Forces**

*Memorandum for the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, [and] the Attorney General*

Pursuant to the authority vested in me by section 552(c)(2) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2348a(c)(2) (the "Act"), I hereby determine that:

(1) as a result of an unseen emergency, the provision of assistance under Chapter 6 of Part II of the Act in amounts in excess of funds otherwise available for such assistance is important to the national interests of the United States; and

(2) such unforeseen emergency requires the immediate provision of assistance under Chapter 6 of Part II of the Act.

I therefore direct the drawdown of commodities and services from the inventory and resources of the Departments of Defense, Justice, Treasury and State of an aggregate value not to exceed \$7.0 million to support accelerated training, equipping and deployment of Haitian police forces.

The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,**

*Washington, June 23, 1995.*

### **Title 3—The President**

**Presidential Determination No. 95-29 of June 28, 1995**

#### **Determination To Authorize the Furnishing of Emergency Military Assistance in Support of the Rapid Reaction Force in Bosnia Under Section 506(a)(1) of the Foreign Assistance Act**

*Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by section 506(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2318(a)(1) (the "Act"), I hereby determine that:

(1) an unforeseen emergency exists which requires immediate military assistance to a foreign country or international organization; and

(2) the emergency requirement cannot be met under the authority of the Arms Export Control Act or any other law except section 506 of the Act.

Therefore, I hereby authorize the furnishing of up to \$12,000,000 in defense services from the Department of Defense to provide immediate transportation support necessary to move the Rapid Reaction Force personnel and equipment to Bosnia.

The Secretary of State is authorized and directed to report this determination to Congress and arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
Washington, June 28, 1995.

**Memorandum of June 29, 1995**

#### **Certification Regarding Use of the Exchange Stabilization Fund and Federal Reserve in Relation to the Economic Crisis in Mexico**

*Memorandum for the Secretary of the Treasury*

On January 31, 1995, I approved a program of assistance to Mexico, in the form of swap facilities and securities guarantees in an amount not to exceed \$20 billion, using the Exchange Stabilization Fund (the "ESF program").

By virtue of the authority vested in me by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, and section 406 of the Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995 (Public Law 104-6), I hereby certify that:

(1) There is no projected cost (as defined in the Federal Credit Reform Act of 1990) to the United States from the proposed swap transaction.

(2) All loans, credits, guarantees, and currency swaps to Mexico from the Exchange Stabilization Fund or the Federal Reserve System are adequately backed to ensure that all United States funds are repaid.

## **Other Presidential Documents**

(3) The Government of Mexico is making progress in ensuring an independent central bank.

(4) Mexico has in effect a significant economic reform effort.

(5) The Executive Branch has provided the documents requested by House Resolution 80 adopted March 1, 1995, and described in paragraphs (1) through (28) of that Resolution. All documents identified as responsive to the Resolution have been provided to the entire House of Representatives. Pursuant to the terms of the Resolution, the Executive Branch has not provided those documents as to which the Executive Branch has informed the House that it would be inconsistent with the public interest to provide the documents to the House. Pursuant to arrangements for safekeeping of classified materials in House facilities, classified documents have been provided to the House by making them available either at designated, secure House facilities or at Executive Branch facilities. Each agency, including the Federal Reserve Board, has advised the House of the procedures employed by that agency to provide the documents requested by House Resolution 80.

I have been informed that the Board of Governors of the Federal Reserve System has provided the documents requested by House Resolution 80 and described in paragraphs (1) through (28) of that Resolution.

I hereby delegate to you the reporting requirement contained in section 406 of Public Law 104-6. You are authorized and requested to report this certification immediately to the Speaker of the House and appropriate congressional committees, as defined in section 407 of Public Law 104-6.

I also hereby delegate to you the reporting requirement contained in section 403 of Public Law 104-6.

You are authorized and directed to publish this memorandum in the *Federal Register*.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, June 29, 1995.*

### **Presidential Determination No. 95-31 of July 2, 1995**

## **Suspending Restrictions on U.S. Relations With the Palestine Liberation Organization**

### ***Memorandum for the Secretary of State***

Pursuant to the authority vested in me by the Middle East Peace Facilitation Act of 1994, part E of title V, Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, Public Law 103-236, ("the Act"), I hereby:

(1) certify that it is in the national interest to suspend the application of the following provisions of law until August 15, 1995:

(A) Section 307 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2227), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

### **Title 3—The President**

(B) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(C) Section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2502); and

(D) Section 37, Bretton Woods Agreement Act (22 U.S.C. 286w), as it applies to the granting to the Palestine Liberation Organization of observer status or other official status at any meeting sponsored by or associated with the International Monetary Fund.

(2) certify that the Palestine Liberation Organization continues to abide by the commitments described in section 583(b)(4) of the Act.

You are authorized and directed to transmit this determination to the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, July 2, 1995.*

**Notice of July 28, 1995**

### **Continuation of Iraqi Emergency**

On August 2, 1990, by Executive Order No. 12722, President Bush declared a national emergency to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of the Government of Iraq. By Executive Orders Nos. 12722 of August 2, 1990, and 12724 of August 9, 1990, the President imposed trade sanctions on Iraq and blocked Iraqi government assets. Because the Government of Iraq has continued its activities hostile to the United States interests in the Middle East, the national emergency declared on August 2, 1990, and the measures adopted on August 2 and August 9, 1990, to deal with that emergency must continue in effect beyond August 2, 1995. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Iraq.

This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*July 28, 1995.*

## **Other Presidential Documents**

**Presidential Determination No. 95-32 of July 28, 1995**

### **Eligibility of Angola To Be Furnished Defense Articles and Services Under the Foreign Assistance Act and the Arms Export Control Act**

#### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by section 503(a) of the Foreign Assistance Act of 1961, as amended, and section 3(a)(1) of the Arms Export Control Act, I hereby find that the furnishing of defense articles and services to the Government of the Republic of Angola will strengthen the security of the United States and promote world peace.

You are authorized and directed to report this finding to the Congress and to publish it in the **Federal Register**.

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,**  
*Washington, July 28, 1995.*

#### **JUSTIFICATION FOR PRESIDENTIAL DETERMINATION OF ELIGIBILITY OF ANGOLA TO BE FURNISHED MILITARY ASSISTANCE UNDER THE FOREIGN ASSISTANCE ACT OF 1961 AND THE ARMS EXPORT CONTROL ACT**

Section 503 of the Foreign Assistance Act of 1961 and Section 3(a)(1) of the Arms Export Control Act require, as a condition of eligibility to acquire defense articles and services from the United States, that the President find that the furnishing of such articles and services to the country concerned will "strengthen the security of the United States and promote world peace."

The search for peace in Angola, the source of seven percent of U.S. oil imports, has been a central security concern of U.S. policy in Africa since Angola's independence in 1975. As the last nation in southern Africa to make the transition to peace, democracy, and stability, Angola will complete the regional transition already effected by its neighbors, including Namibia, South Africa, and Mozambique.

The United States played a key role in the UN-sponsored negotiations which produced the Lusaka Protocol and the current cease-fire. The difficult process of national reconciliation in Angola will be hampered by the destruction caused by three decades of civil war. Among the most devastating legacies is the estimated 10 million landmines throughout the country. These landmines, both anti-tank and anti-personnel, seriously hinder the UN's efforts to deploy peacekeeping troops and they prevent Angola from reconstructing its shattered economy.

Angola has been designated as a priority country for USG demining assistance by the Interagency Working Group on Demining and Landmine Con-



### **Title 3—The President**

trol. The Department believes that Angola is an appropriate country to receive USG demining assistance both because of the recent need and because of a combination of favorable factors.

- Both the GRA and UNITA recognize the gravity of the landmine situation. Both support international, particularly, U.S., involvement in the demining program.
- Both the Angolan government and UNITA, through the UN, have requested demining equipment to allow indigenous deminers to begin the process of opening roads and returning agricultural fields to productivity. Angolan government and UNITA soldiers are actively demining without adequate equipment and are suffering casualties.
- A coordinated, effective demining program will be the key to the efficient deployment of UN peacekeepers, the provision of humanitarian assistance, and the free flow of people and goods.

Providing non-lethal defense articles and services to Angola pursuant to the Foreign Assistance Act and Arms Export Control Act authorities will further our long-term goals of promoting stability both in Angola and throughout southern Africa, thereby strengthening the security of the United States and promoting world peace.

#### **Presidential Determination No. 95-33 of July 31, 1995**

#### **Determination To Authorize the Furnishing of Emergency Military Assistance to the United Nations for Purposes of Supporting the Rapid Reaction Force in Bosnia Under Section 506(a)(1) of the Foreign Assistance Act**

##### *Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by section 506(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2318(a)(1) (the "Act"), I hereby determine that:

(1) an unforeseen emergency exists, which requires immediate military assistance to an international organization; and

(2) the emergency requirement cannot be met under the authority of the Arms Export Control Act or any other law except section 506 of the Act.

Therefore, I hereby authorize the furnishing of up to \$3,000,000 in defense articles and defense services from the Department of Defense to the United Nations for purposes of supporting the Rapid Reaction Force in Bosnia.

The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
Washington, July 31, 1995.

## Other Presidential Documents

**Presidential Determination No. 95-34 of August 3, 1995**

### **Determination To Authorize the Furnishing of Emergency Military Assistance to the United Nations for Purposes of Supporting the Rapid Reaction Force in Bosnia Under Section 506(a)(1) of the Foreign Assistance Act**

*Memorandum for the Secretary of State [and] the Secretary of Defense*

Pursuant to the authority vested in me by section 506(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2318(a)(1) (the "Act"), I hereby determine that:

(1) an unforeseen emergency exists, which requires immediate military assistance to an international organization; and

(2) the emergency requirement cannot be met under the authority of the Arms Export Control Act or any other law except section 506 of the Act.

Therefore, I hereby authorize the furnishing of up to \$17,000,000 in defense articles and defense services from the Department of Defense to the United Nations for purposes of supporting the Rapid Reaction Force in Bosnia.

The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
Washington, August 3, 1995.

**Memorandum of August 8, 1995**

### **Expediting Community Right-to-Know Initiatives**

*Memorandum for the Administrator of the Environmental Protection Agency and the Heads of Executive Departments and Agencies*

The Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11001-11050) ("EPCRA") and the Pollution Prevention Act of 1990 (42 U.S.C. 13101-13109) provide an innovative approach to protecting public health and the environment by ensuring that communities are informed about the toxic chemicals being released into the air, land, and water by manufacturing facilities. I am committed to the effective implementation of this law, because Community Right-to-Know protections provide a basic informational tool to encourage informed community-based environmental decision making and provide a strong incentive for businesses to find their own ways of preventing pollution.

The laws provide the Environmental Protection Agency with substantial authority to add to the Toxics Release Inventory under EPCRA: (1) new chemicals; (2) new classes of industrial facilities; and (3) additional types of information concerning toxic chemical use at facilities. Community Right-to-Know should be enhanced wherever possible as appropriate. EPA

### **Title 3—The President**

currently is engaged in an on-going process to address potential facility expansion and the collection of use information. I am committed to a full and open process on the policy issues posed by EPA's exercise of these authorities.

So that consideration of these issues can be fully accomplished during this Administration, I am directing the Administrator of the Environmental Protection Agency, in consultation with the Office of Management and Budget and appropriate Federal agencies with applicable technical and functional expertise, as necessary, to take the following actions:

(a) Continuation on an expedited basis of the public notice and comment rulemaking proceedings to consider whether, as appropriate and consistent with section 313(b) of EPCRA, 42 U.S.C. 11023(b), to add to the list of Standard Industrial Classification ("SIC") Code designations of 20 through 39 (as in effect on July 1, 1985). For SIC Code designations, see "Standard Industrial Classification Manual" published by the Office of Management and Budget. EPA shall complete the rulemaking process on an accelerated schedule.

(b) Development and implementation of an expedited, open, and transparent process for consideration of reporting under EPCRA on information on the use of toxic chemicals at facilities, including information on mass balance, materials accounting, or other chemical use data, pursuant to section 313(b)(1)(A) of EPCRA, 42 U.S.C. 11023(b)(1)(A). EPA shall report on the progress of this effort by October 1, 1995, with a goal of obtaining sufficient information to be able to make informed judgments concerning implementation of any appropriate program.

These actions should continue unless specifically prohibited by law. The head of each executive department or agency shall assist the Environmental Protection Agency in implementing this directive as quickly as possible.

This directive is for the internal management of the executive branch and does not create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any person.

The Director of the Office of Management and Budget is authorized and directed to publish this Memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, August 8, 1995.*

**Memorandum of August 10, 1995**

### **Facilitating Access to Federal Property for the Siting of Mobile Services Antennas**

#### *Memorandum for the Heads of Departments and Agencies*

Recent advancements in mobile telecommunications technology present an opportunity for the rapid construction of the Nation's wireless communications infrastructure. As a matter of policy, the Federal Government shall

## **Other Presidential Documents**

encourage the efficient and timely implementation of such new technologies and the concomitant infrastructure buildout as a means of stimulating economic growth and creating new jobs. The recent auctioning and impending licensing of radio frequencies for mobile personal communications services presents the Federal Government with the opportunity to foster new technologies and to encourage the development of communications infrastructure by making Federal property available for the siting of mobile services antennas.

Therefore, to the extent permitted by law, I hereby direct the Administrator of General Services, within 90 days, in consultation with the Secretaries of Agriculture, Interior, Defense, and the heads of such other agencies as the Administrator may determine, to develop procedures necessary to facilitate appropriate access to Federal property for the siting of mobile services antennas.

The procedures should be developed in accordance with the following:

1. (a) Upon request, and to the extent permitted by law and where practicable, executive departments and agencies shall make available Federal Government buildings and lands for the siting of mobile service antennas. This should be done in accordance with Federal, State, and local laws and regulations, and consistent with national security concerns (including minimizing mutual electromagnetic interactions), public health and safety concerns, environmental and aesthetic concerns, preservation of historic buildings and monuments, protection of natural and cultural resources, protection of national park and wilderness values, protection of National Wildlife Refuge systems, and subject to any Federal requirements promulgated by the agency managing the facility and the Federal Communications Commission, the Federal Aviation Administration, National Telecommunications and Information Administration, and other relevant departments and agencies.

(b) Antennas on Federal buildings or land may not contain any advertising.

(c) Federal property does not include lands held by the United States in trust for individual or Native American tribal governments.

(d) Agencies shall retain discretion to reject inappropriate siting requests, and assure adequate protection of public property and timely removal of equipment and structures at the end of service.

2. All procedures and mechanisms adopted regarding access to Federal property shall be clear and simple so as to facilitate the efficient and rapid buildout of the national wireless communications infrastructure.

3. Unless otherwise prohibited by or inconsistent with Federal law, agencies shall charge fees based on market value for siting antennas on Federal property, and may use competitive procedures if not all applicants can be accommodated.

This memorandum does not give the siting of mobile services antennas priority over other authorized uses of Federal buildings or land.

All independent regulatory commissions and agencies are requested to comply with the provisions of this memorandum.

This memorandum is not intended to create any right, benefit or trust responsibility, substantive or procedural, enforceable at law or equity by a

### **Title 3—The President**

party against the United States, its agencies or instrumentalities, its officers, or any other person.

This memorandum shall be published in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, August 10, 1995.*

#### **Presidential Determination No. 95-35 of August 10, 1995**

#### **Presidential Determination Under Section 1542(f) of the Food, Agriculture, Conservation and Trade Act of 1990, as Amended—Emerging Democracies**

*Memorandum for the Secretary of State [and] the PSecretary of Agriculture*

Pursuant to the authority vested in me by section 1542(f) of the Food, Agriculture, Conservation and Trade Act of 1990, as amended (7 U.S.C. 5622 note) (hereinafter “the Act”), I hereby determine that the following countries are taking the steps set forth in section 1542(f) of the Act to qualify as emerging democracies for purposes of that section:

Albania, Bangladesh, Belarus, Bosnia and Herzegovina, Bulgaria, Cambodia, Croatia, Czech Republic, Egypt, El Salvador, Estonia, the Former Yugoslav Republic of Macedonia, Ghana, Guatemala, Hungary, Jordan, Kazakhstan, Latvia, Lithuania, Morocco, Namibia, Nicaragua, Pakistan, Panama, the Philippines, Poland, Romania, Russia, Slovak Republic, Slovenia, South Africa, Tanzania, Tunisia, Ukraine, Yemen, and Zimbabwe.

In making this determination, I have considered the eligibility only of those countries for which programs are underway or currently contemplated by the Department of Agriculture.

The Secretary of State is authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, August 10, 1995.*

#### **Presidential Determination No. 95-36 of August 14, 1995**

#### **Suspending Restrictions on U.S. Relations With the Palestine Liberation Organization**

*Memorandum for the Secretary of State*

Pursuant to the authority vested in me by the Middle East Peace Facilitation Act of 1994, part E of title V, Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, Public Law 103-236, as amended (“the Act”), I hereby:

## Other Presidential Documents

(1) certify that it is in the national interest to suspend the application of the following provisions under law until October 1, 1995:

(A) Section 307 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2227), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(B) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(C) Section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2502); and

(D) Section 37, Bretton Woods Agreement Act (22 U.S.C. 286w), as it applies to the granting to the Palestine Liberation Organization of observer status or other official status at any meeting sponsored by or associated with the International Monetary Fund.

(2) certify that the Palestine Liberation Organization continues to abide by the commitments described in section 583(b)(4) of the Act.

You are authorized and directed to transmit this determination to the Congress and to publish it in the *Federal Register*.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, August 14, 1995.*

Notice of August 15, 1995

### Continuation of Emergency Regarding Export Control Regulations

On August 19, 1994, consistent with the authority provided me under the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), I issued Executive Order No. 12924. In that order, I declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States in light of the expiration of the Export Administration Act of 1979, as amended (50 U.S.C. 2401 *et seq.*). Because the Export Administration Act has not been renewed by the Congress, the national emergency declared on August 19, 1994, must continue in effect beyond August 19, 1995. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency declared in Executive Order No. 12924.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*August 15, 1995.*

### **Title 3—The President**

**Presidential Determination No. 95-38 of August 22, 1995**

#### **Eligibility for Mongolia To Be Furnished Defense Articles and Services Under the Foreign Assistance Act and the Arms Export Control Act**

*Memorandum for the Secretary of State*

Pursuant to the authority vested in me by section 503(a)(1) of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2311(a)), and section 3(a)(1) of the Arms Export Control Act as amended (22 U.S.C. 2753(a)(1)), I hereby find that the furnishing of defense articles and services to the Government of Mongolia will strengthen the security of the United States and promote world peace.

You are authorized and directed to report this finding to the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, August 22, 1995.*

**Memorandum of August 25, 1995**

#### **Delegation of Authority To Issue Guidelines and Instructions to Federal Agencies on Consulting With State, Local, and Tribal Governments**

*Memorandum for the Director of the Office of Management and Budget*

By the authority vested in me as President by the Constitution and laws of the United States, including section 204(c) of the Unfunded Mandates Reform Act of 1995 (Public Law 104-4) and section 301 of title 3 of the United States Code, I hereby delegate to the Director of the Office of Management and Budget the authority vested in the President to issue the guidelines and instructions to Federal agencies required by section 204(c) of that Act.

You are authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, August 25, 1995.*

## **Other Presidential Documents**

**Presidential Determination No. 95-40 of September 1, 1995**

### **Use of International Organizations and Programs Account Funds for an Initial U.S. Contribution to the Korean Peninsula Energy Development Organization (KEDO)**

#### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by section 614(a)(1) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2364(a)(1) (the "Act"), I hereby determine that it is important to the security interests of the United States to furnish up to \$4 million in funds made available under chapter 3 of part I of the Act for fiscal year 1995 to provide the initial U.S. contribution to the Korean Peninsula Energy Development Organization (KEDO) without regard to any provision of law within the scope of section 614(a)(1). I hereby authorize the furnishing of such assistance.

You are hereby authorized and directed to transmit this determination to the Congress and to arrange for its publication in the **Federal Register**.

**WILLIAM J. CLINTON**

THE WHITE HOUSE,  
*Washington, September 1, 1995.*

**Presidential Determination No. 95-41 of September 8, 1995**

### **Extension of the Exercise of Certain Authorities Under the Trading With the Enemy Act**

*Memorandum for the Secretary of State [and] the Secretary of the Treasury*  
Under section 101(b) of Public Law 95-223 (91 Stat. 1625; 50 U.S.C. App. 5(b) note), and a previous determination made by me on September 8, 1994 (59 FR 47229), the exercise of certain authorities under the Trading With the Enemy Act is scheduled to terminate on September 14, 1995.

I hereby determine that the extension for one year of the exercise of those authorities with respect to the applicable countries is in the national interest of the United States.

Therefore, pursuant to the authority vested in me by section 101(b) of Public Law 95-223, I extend for one year, until September 14, 1996, the exercise of those authorities with respect to countries affected by:

- (1) the Foreign Assets Control Regulations, 31 CFR Part 500;
- (2) the Transaction Control Regulations, 31 CFR Part 505; and
- (3) the Cuban Assets Control Regulations, 31 CFR Part 515.

The Secretary of the Treasury is directed to publish this determination in the **Federal Register**.

**WILLIAM J. CLINTON**

THE WHITE HOUSE,  
*Washington, September 8, 1995.*



### **Title 3—The President**

**Notice of September 18, 1995**

#### **Continuation of Emergency With Respect to UNITA**

On September 26, 1993, by Executive Order No. 12865, I declared a national emergency to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the actions and policies of the National Union for the Total Independence of Angola ("UNITA"), prohibiting the sale or supply by United States persons or from the United States, or using U.S.-registered vessels or aircraft, of arms and related materiel of all types, and petroleum and petroleum products to the territory of Angola, other than through designated points of entry. The order also prohibits the sale or supply of such commodities to UNITA. Because of our continuing international obligations and because of the prejudicial effect that discontinuation of the sanctions would have on the Angolan peace process, the national emergency declared on September 26, 1993, and the measures adopted pursuant thereto to deal with that emergency, must continue in effect beyond September 26, 1995. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to UNITA.

This notice shall be published in the Federal Register and transmitted to the Congress.

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,**  
*September 18, 1995.*

#### **Presidential Determination No. 95-43 of September 18, 1995**

#### **Drawdown of Commodities and Services From the Inventory and Resources of the Department of the Treasury To Support Sanctions Enforcement Efforts Against Serbia and Montenegro**

*Memorandum for the Secretary of State [and] the Secretary of the Treasury*  
Pursuant to the authority vested in me by section 552(c)(2) of the Foreign Assistance Act of 1961, as amended, 22 U.S.C. 2348a(c)(2) (the "Act"), I hereby determine that:

(1) as a result of an unforeseen emergency, the provision of assistance under Chapter 6 of Part II of the Act in amounts in excess of funds otherwise available for such assistance is important to the national interests of the United States; and

(2) such unforeseen emergency requires the immediate provision of assistance under Chapter 6 of Part II of the Act.

I therefore direct the drawdown of commodities and services from the inventory and resources of the Department of the Treasury of an aggregate value not to exceed \$1.5 million to support the international Serbia and Montenegro sanctions program enforcement efforts.

## **Other Presidential Documents**

The Secretary of State is authorized and directed to report this determination to the Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, September 18, 1995.*

### **Presidential Determination No. 95-44 of September 20, 1995**

#### **Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended**

##### *Memorandum for the Secretary of State*

Pursuant to section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(c)(1), I hereby determine that it is important to the national interest that up to \$20,000,000 be made available from the U.S. Emergency Refugee and Migration Assistance Fund to meet the urgent and unexpected needs of refugees and victims of conflict from Rwanda and Burundi. These funds may be used as necessary to provide U.S. contributions in response to the appeals of international and nongovernmental organizations for funds to meet the urgent and unforeseen humanitarian needs of victims of conflict from Rwanda and Burundi.

You are authorized and directed to inform the appropriate committees of the Congress of this determination and obligation of funds under this authority and to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, September 20, 1995.*

### **Presidential Determination No. 95-49 of September 28, 1995**

#### **Immigration Emergency Resulting From Alien Smuggling by Organized Crime**

##### *Memorandum for the Attorney General*

Recognizing that the smuggling of illegal aliens by international organized crime syndicates creates extraordinary concerns for United States law enforcement and immigration authorities, the Congress in 1994 appropriated \$6,000,000 to the Immigration Emergency Fund to cover costs associated with repatriation of smuggled aliens.

As determined by the Congress, the repatriation of foreign nationals intercepted en route to the United States is an activity that is appropriate for reimbursement from the Immigration Emergency Fund.

Accordingly, by virtue of the authority vested in me as President by the Constitution and the laws of the United States, including section 404(b)(1)

### **Title 3—The President**

of the Immigration and Nationality Act, as amended (8 U.S.C. 1101 note), I hereby:

Determine that an immigration emergency has been in existence and continues to exist with respect to the smuggling into the United States of illegal aliens by international organized crime syndicates; and

Direct that up to \$6,000,000 appropriated by the Congress to the Immigration Emergency Fund be used to cover costs associated with repatriation of foreign nationals intercepted en route to the United States when it appears that such persons are being smuggled by international organized crime syndicates and to reimburse the State Department and international organizations for past and future costs incurred in association with this purpose.

You are authorized and directed to inform the appropriate committees of the Congress of this determination and the obligation of funds under this authority and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, September 28, 1995.*

**Memorandum of September 29, 1995**

#### **Delegation of Authority Under Section 103(a) of the North American Free Trade Agreement Implementation Act and Section 115 of the Uruguay Round Agreements Act**

##### *Memorandum for the United States Trade Representative*

By virtue of the authority vested in me as President by the Constitution and laws of the United States, including section 301 of title 3 of the United States Code, you are hereby delegated the authority set forth in section 103(a) of the North American Free Trade Agreement Implementation Act ("NAFTA Act") and section 115 of the Uruguay Round Agreements Act ("Uruguay Round Act") to perform certain functions in order to fulfill the consultation and layover requirements set forth in those provisions, including:

(1) obtaining advice from the appropriate advisory committees and the U.S. International Trade Commission on the proposed implementation of an action by Presidential proclamation;

(2) submitting a report on such action to the House Ways and Means and Senate Finance Committees; and

(3) consulting with such committees during the 60-day period following the date on which the requirements under (1) and (2) have been met.

The President retains the sole authority under the NAFTA Act and Uruguay Round Act to implement an action by proclamation after the consultation and layover requirements set forth in section 103(a)(1) through (4) and section 115 of such Acts, respectively, have been met.

## Other Presidential Documents

You are authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
Washington, September 29, 1995.

**Presidential Determination No. 95-45 of September 29, 1995**

### **Presidential Determination on Classified Information Concerning the Air Force's Operating Location Near Groom Lake, Nevada**

*Memorandum for the Administrator of the Environmental Protection Agency [and] the Secretary of the Air Force*

I find that it is in the paramount interest of the United States to exempt the United States Air Force's operating location near Groom Lake, Nevada (the subject of litigation in *Kasza v. Browner* (D. Nev. CV-S-94-795-PMP) and *Frost v. Perry* (D. Nev. CV-S-94-714-PMP)) from any applicable requirement for the disclosure to unauthorized persons of classified information concerning that operating location. Therefore, pursuant to 42 U.S.C. § 6961(a), I hereby exempt the Air Force's operating location near Groom Lake, Nevada from any Federal, State, interstate or local provision respecting control and abatement of solid waste or hazardous waste disposal that would require the disclosure of classified information concerning that operating location to any unauthorized person. This exemption shall be effective for the full one-year statutory period.

Nothing herein is intended to: (a) imply that in the absence of such a Presidential exemption, the Resource Conservation and Recovery Act (RCRA) or any other provision of law permits or requires disclosure of classified information to unauthorized persons; or (b) limit the applicability or enforcement of any requirement of law applicable to the Air Force's operating location near Groom Lake, Nevada, except those provisions, if any, that would require the disclosure of classified information.

The Secretary of the Air Force is authorized and directed to publish this Determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
Washington, September 29, 1995.

**Presidential Determination No. 95-46 of September 29, 1995**

### **Loan Guarantee to Israel Program**

*Memorandum for the Secretary of State*

Pursuant to the authority vested in me by Section 226(b) and Section 614(a)(1) of the Foreign Assistance Act of 1961, as amended ("the Act"),

### **Title 3—The President**

22 U.S.C. 2186(b) and 22 U.S.C. 2364(a)(1), respectively, I hereby determine that:

(1) \$303 million of loan guarantee authority pursuant to Section 226(a) and (b) of the Act for Fiscal Year 1996 is subject to the deduction requirements of Section 226(d) of the Act; and

(2) It is important to the security interests of the United States that the aforementioned amount shall be reduced by \$243 million without regard to the deduction requirement of Section 226(d) of the Act or any other provision of law within the scope of Section 614 of the Act;

Therefore, I hereby authorize that such \$243 million in loan guarantee authority shall remain available pursuant to Section 226 (a) and (b) of the Act and that \$60 million in loan guarantee authority shall be deducted pursuant to section 226(d) of the Act.

You are hereby authorized and directed to transmit this determination to Congress and to arrange for its publication in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, September 29, 1995.*

#### **Presidential Determination No. 95-47 of September 29, 1995**

#### **Transfer of \$2.8 Million in FY 1995 Foreign Military Financing Funds to the Economic Support Fund for El Salvador**

##### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by section 610(a) of the Foreign Assistance Act of 1961, as amended (the "Act"), I hereby determine that it is necessary for the purposes of the Act that \$2.8 million of funds made available to carry out the provisions of section 23 of the Arms Export Control Act for fiscal year 1995, be transferred to, and consolidated with, funds made available for Chapter 4, Part II of the Act.

You are hereby authorized and directed to report this determination immediately to the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, September 29, 1995.*

## Other Presidential Documents

Presidential Determination No. 95-48 of September 29, 1995

### **Presidential Determination on FY 1996 Refugee Admissions Numbers and Authorizations of In-Country Refugee Status Pursuant to Sections 207 and 101(a)(42), Respectively, of the Immigration and Nationality Act, and Determination Pursuant to Section 2(b)(2) of the Migration and Refugee Assistance Act, as Amended**

#### *Memorandum for the Secretary of State*

In accordance with section 207 of the Immigration and Nationality Act ("the Act") (8 U.S.C. 1157), as amended, and after appropriate consultation with the Congress, I hereby make the following determinations and authorize the following actions:

The admission of up to 90,000 refugees to the United States during FY 1996 is justified by humanitarian concerns or is otherwise in the national interest; provided, however, that this number shall be understood as including persons admitted to the United States during FY 1996 with Federal refugee resettlement assistance under the Amerasian immigrant admissions program, as provided below.

The 90,000 funded admissions shall be allocated among refugees of special humanitarian concern to the United States as described in the documentation presented to the Congress during the consultations that preceded this determination and in accordance with the following regional allocations; provided, however, that the number allocated to the East Asia region shall include persons admitted to the United States during FY 1996 with Federal refugee resettlement assistance under section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1988, as contained in section 101(e) of Public Law 100-202 (Amerasian immigrants and their family members); provided further that the number allocated to the former Soviet Union shall include persons admitted who were nationals of the former Soviet Union, or in the case of persons having no nationality, who were habitual residents of the former Soviet Union, prior to September 2, 1991:

Africa .....	7,000
East Asia .....	25,000
Former Soviet Union/Eastern Europe .....	45,000
Latin America/Caribbean .....	6,000
Near East/South Asia .....	4,000
Unallocated Reserve .....	3,000

The 3,000 unallocated numbers shall be allocated as needed. Unused admissions numbers allocated to a particular region within the 90,000 ceiling may be transferred to one or more other regions if there is an overriding need for greater numbers for the region or regions to which the numbers are being transferred. You are hereby authorized and directed to consult with the judiciary committees of the Congress prior to any such use of the unallocated numbers or reallocation of numbers from one region to another.

Pursuant to section 2(b)(2) of the Migration and Refugee Assistance Act of 1962, as amended, 22 U.S.C. 2601(b)(2), I hereby determine that assist-

### **Title 3—The President**

ance to or on behalf of persons applying for admission to the United States as part of the overseas refugee admissions program will contribute to the foreign policy interests of the United States and designate such persons for this purpose.

An additional 10,000 refugee admissions numbers shall be made available during FY 1996 for the adjustment to permanent-resident status under section 209(b) of the Act (8 U.S.C. 1159(b)) of aliens who have been granted asylum in the United States under section 208 of the Act (8 U.S.C. 1158), as this is justified by humanitarian concerns or is otherwise in the national interest. 8,131 aliens were granted asylum during FY 1994 under section 208 of the Act.

In accordance with section 101(a)(42) of the Act (8 U.S.C. 1101(a)(42)) and after appropriate consultation with the Congress, I also specify that, for FY 1996, the following persons may, if otherwise qualified, be considered refugees for the purpose of admission to the United States within their countries of nationality or habitual residence:

- a. Persons in Vietnam
- b. Persons in Cuba
- c. Persons in the former Soviet Union

You are authorized and directed to report this determination to the Congress immediately and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, September 29, 1995.*

#### **Presidential Determination No. 95-50 of September 30, 1995**

### **Suspending Restrictions on U.S. Relations With the Palestine Liberation Organization**

#### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by the Middle East Peace Facilitation Act of 1994, part E of Title V, Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, Public Law 103-236, as amended, ("the Act"), I hereby:

(1) certify that it is in the national interest to suspend application of the following provisions of law until November 1, 1995:

(A) Section 307 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2227), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(B) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(C) Section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2502); and

## Other Presidential Documents

(D) Section 37, Bretton Woods Agreement Act (22 U.S.C. 286w), as it applies to the granting to the Palestine Liberation Organization of observer status or other official status at any meeting sponsored by or associated with the International Monetary Fund.

(2) certify that the Palestine Liberation Organization continues to abide by the commitments described in section 583(b)(4) of the Act.

You are authorized and directed to transmit this determination to the Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
Washington, September 30, 1995.

**Memorandum of October 2, 1995**

### **Federal Employee Domestic Violence Awareness Campaign**

#### *Memorandum for Heads of Executive Departments and Agencies*

Domestic violence is not a private, family dispute that affects only the people involved. Domestic violence is violent criminal activity that affects us all, regardless of race, income, or age, in every community in this country. It means higher health care costs, increased absenteeism, and declining productivity. It destroys families, relationships, and lives. More importantly, it tears at the moral fabric of who we are and undermines the very institution that has been the cornerstone of our country: the family.

In passing the Violence Against Women Act as part of the Violent Crime Control Act ("VCCA") last year, the Congress recognized the seriousness of the problem of domestic violence. This new law combines tough new penalties with programs to prosecute offenders and help women victims. In the last year, every State has received a down payment of \$426,000 in grants to help train prosecutors, police, and service providers in combatting the problem of domestic violence. Moreover, because of the VCCA, every State will now ensure that women who have been assaulted will not have to pay for their medical examinations resulting from rape and other acts of violence.

Throughout October, National Domestic Violence Awareness Month, business, labor, law enforcement, public health, and civic organizations will be working to increase our understanding of this problem and create solutions that can save lives. I believe the Federal Government has a responsibility to be a leader in this effort.

Today, I am directing that executive departments and agencies institute employee awareness campaigns on domestic violence. Within the next 6 months, you should implement a program to promote Federal employee awareness of the problem of domestic violence and the programs and resources that are available for victims. I support and encourage the initial plans made by the Justice Department, which include the production of a resource manual and a poster, and the scheduling of a Violence Against Women Information Fair on October 30, 1995. This fair will include speakers, artwork, and exhibits.



### **Title 3—The President**

We have a responsibility to assist all victims of domestic violence and their families trapped in a cycle of violence with no sense of where to turn. Often, victims will not report their circumstances to the public, but they may turn to coworkers for help. Thus, by providing information to all Federal workers on the programs available, we can make a contribution to the effort to protect women from abuse and reduce the level of violence in America.

The Director of the Office Management and Budget is authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, October 2, 1995.*

**Memorandum of October 3, 1995**

### **Delegation of Authority Under the Assignment of Claims Act**

#### *Memorandum for the Heads of Executive Departments and Agencies*

Section 2451 of the Federal Acquisition Streamlining Act of 1994, Public Law 103-355 (41 U.S.C. 15) ("Act"), provides, in part, that "[a]ny contract of the Department of Defense, the General Services Administration, the Department of Energy or any other department or agency of the United States designated by the President, except [contracts where] . . . full payment has been made, may, upon a determination of need by the President, provide or be amended without consideration to provide that payments to be made to the assignee of any moneys due or to become due under [the] contract shall not be subject to reduction or set-off."

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby designate all other departments and agencies of the United States as subject to this provision. Furthermore, I hereby delegate to the Secretaries of Defense and Energy, the Administrator of General Services, and the heads of all other departments and agencies, the authority under section 2451 of the Act to make determinations of need for their respective agency's contracts, subject to such further guidance as issued by the Office of Federal Procurement Policy.

The authority delegated by this memorandum may be further delegated within the departments and agencies.

This memorandum shall be published in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, October 3, 1995.*

## Other Presidential Documents

**Memorandum of October 10, 1995**

### **Delegation of Authority To Enter Into Mutual Waivers of Liability for Certain Agreements Under the National Aeronautics and Space Act of 1958**

*Memorandum for the Administrator of the National and Aeronautics and Space Administration*

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to facilitate the efficient operations of the aeronautical and space programs of the National Aeronautics and Space Administration (NASA), it is hereby ordered as follows:

The authority conferred upon the President by the Constitution and the laws of the United States of America to executive mutual waivers of claims of liability on behalf of the United States for damages arising out of cooperative activities is hereby delegated to the Administrator of NASA for agreements with foreign governments and their agents regarding aeronautical, science, and space activities that are executed pursuant to the authority granted NASA by the National Aeronautics and Space Act of 1958, Public Law 85-568, as amended. All such agreements shall be subject to coordination with and the concurrence of the Department of State to the extent provided by applicable law, regulations, and procedures. All such waivers of liability entered into prior to the date of this memorandum are hereby ratified.

You are authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, October 10, 1995.*

**Order of October 13, 1995**

### **National Security Information**

Pursuant to the provisions of Section 1.4 of Executive Order No. 12958 of April 17, 1995, entitled "Classified National Security Information," I hereby designate the following officials to classify information originally as "Top Secret", "Secret", or "Confidential":

**TOP SECRET**

**Executive Office of the President:**

The Vice President

The Chief of Staff to the President

The Director, Office of Management and Budget

The Assistant to the President for National Security Affairs

The Director, Office of National Drug Control Policy

### **Title 3—The President**

**The Chairman, President's Foreign Intelligence Advisory Board**

**Departments and Agencies:**

**The Secretary of State**

**The Secretary of the Treasury**

**The Secretary of Defense**

**The Secretary of the Army**

**The Secretary of the Navy**

**The Secretary of the Air Force**

**The Attorney General**

**The Secretary of Energy**

**The Chairman, Nuclear Regulatory Commission**

**The Director, United States Arms Control and Disarmament Agency**

**The Director of Central Intelligence**

**The Administrator, National Aeronautics and Space Administration**

**The Director, Federal Emergency Management Agency**

***SECRET***

**Executive Office of the President:**

**The United States Trade Representative**

**The Chairman, Council of Economic Advisers**

**The Director, Office of Science and Technology Policy**

**Departments and Agencies:**

**The Secretary of Commerce**

**The Secretary of Transportation**

**The Administrator, Agency for International Development**

**The Director, United States Information Agency**

***CONFIDENTIAL***

**The President, Export-Import Bank of the United States**

**The President, Overseas Private Investment Corporation**

**Any delegation of this authority shall be in accordance with Section 1.4(c) of Executive Order No. 12958.**

**This Order shall be published in the *Federal Register*.**

**WILLIAM J. CLINTON**

**THE WHITE HOUSE,  
*Washington, October 13, 1995.***

## Other Presidential Documents

Notice of October 31, 1995

### Continuation of Iran Emergency

On November 14, 1979, by Executive Order No. 12170, the President declared a national emergency to deal with the threat to the national security, foreign policy, and economy of the United States constituted by the situation in Iran. Notices of the continuation of this national emergency have been transmitted annually by the President to the Congress and the **Federal Register**. The most recent notice appeared in the **Federal Register** on November 1, 1994. Because our relations with Iran have not yet returned to normal, and the process of implementing the January 19, 1981, agreements with Iran is still underway, the national emergency declared on November 14, 1979, must continue in effect beyond November 14, 1995. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency with respect to Iran. This notice shall be published in the **Federal Register** and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*October 31, 1995.*

### Presidential Determination No. 96-4 of November 1, 1995

### Presidential Determination on the Proposed Agreement for Cooperation in the Peaceful Uses of Nuclear Energy Between the United States of America and the European Atomic Energy Community (EURATOM)

#### *Memorandum for the Secretary of State [and] the Secretary of Energy*

I have considered the proposed Agreement for Cooperation in the Peaceful Uses of Nuclear Energy Between the United States of America and the European Atomic Energy Community, along with the views, recommendations, and statements of the interested agencies.

I have determined that the performance of the Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security. Pursuant to section 123 b. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b)), I hereby approve the proposed agreement and authorize you to arrange for its execution.

The Secretary of State is authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, November 1, 1995.*

### **Title 3—The President**

**Notice of November 8, 1995**

## **Continuation of Emergency Regarding Weapons of Mass Destruction**

On November 14, 1994, by Executive Order No. 12938, I declared a national emergency with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States posed by the proliferation of nuclear, biological, and chemical weapons ("weapons of mass destruction") and the means of delivering such weapons. Because the proliferation of weapons of mass destruction and the means of delivering them continues to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States, the national emergency declared on November 14, 1994, must continue in effect beyond November 14, 1995. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency declared in Executive Order No. 12938.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
November 8, 1995.

### **Presidential Determination No. 96-5 of November 13, 1995**

## **Suspending Restrictions on U.S. Relations With the Palestine Liberation Organization**

### *Memorandum for the Secretary of State*

Pursuant to the authority vested in me by the Middle East Peace Facilitation Act of 1994, part E of Title V, Foreign Relations Authorization Act, Fiscal years 1994 and 1995, Public Law 103-236, as amended, ("the Act"), I hereby:

(1) certify that it is in the national interest to suspend application of the following provisions of law until December 31, 1995:

(A) Section 307 of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2227), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(B) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note), as it applies with respect to the Palestine Liberation Organization or entities associated with it;

(C) Section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2502); and

(D) Section 37, Bretton Woods Agreement Act (22 U.S.C. 286w), as it applies to the granting to the Palestine Liberation Organization of observer status or other official status at any meeting sponsored by or associated with the International Monetary Fund.

## **Other Presidential Documents**

(2) certify that the Palestine Liberation Organization continues to abide by the commitments described in Section 583(b)(4) of the Act.

You are authorized and directed to transmit this determination to Congress and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, November 13, 1995.*

### **Presidential Determination No. 96-6 of December 6, 1995**

#### **Assistance Program for New Independent States of the Former Soviet Union**

##### *Memorandum for the Secretary of State*

Pursuant to Section 577 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1994 (Titles I-V of Public Law 103-87), I hereby certify that Russia and the Commonwealth of Independent States continue to make substantial progress toward the withdrawal of their armed forces from Latvia and Estonia.

You are authorized and directed to notify the Congress of this certification and to publish it in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
*Washington, December 6, 1995.*

#### **MEMORANDUM OF JUSTIFICATION REGARDING CERTIFICATION UNDER SECTION 577 OF THE FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1994 (TITLES I-V OF PUBLIC LAW 103-87)**

There continues to be active and substantial progress on the issue of Russian and CIS troop withdrawal from the Baltics since the President's previous determination under Section 577 "of substantial progress" on June 6, 1995.

Since the last determination, the troop withdrawal agreement between the Russian Federation and Estonia was ratified by the Russian State Duma on July 21, 1995, and endorsed by the Federation Council on October 4. Russian President Boris Yeltsin signed the federal law on ratification of the treaty on October 13. The agreement awaits ratification by the Estonian legislature. As noted previously, the troop withdrawal agreement between the Russian Federation and Latvia has been ratified by both countries, the documents of ratification having been exchanged on February 27, 1995.

### **Title 3—The President**

By its terms, Section 577 remains in force until the President certifies to the Congress under Section 577(b) that all Russian and CIS armed forces have been withdrawn from Latvia and Estonia, or that the status of those armed forces has been otherwise resolved by mutual agreement of the parties. The Section 577(b) certification is not being made at this time, pending ratification by Estonia of the agreement between the Russian Federation and Estonia.

The residual issues remaining between Russia and Latvia and Russia and Estonia relating to troop withdrawals continue to be primarily political and social rather than military. In particular, there continues to be the question of Russian/CIS military personnel demobilized in place before August 31, 1994, when all active duty military personnel and equipment were withdrawn from Estonia and Latvia according to agreement. As noted previously, the lack of precise data for determining the number of troops demobilized in place, combined with certain ambiguities in the agreements, contribute to the difficulty of resolving these residual issues. Humanitarian concerns continue to constitute another factor. Since the June 6, 1995 determination, the parties have actively worked on both bilateral and multilateral levels to resolve these residual issues. In particular, they have used the OSCE Permanent Council and OSCE missions as fora for raising, and working through, their differences.

Latvia and Russia continue to review lists of demobilized officers in an orderly manner to clarify the status of these individuals. In September 1995, Russia submitted updated lists totaling 1238 former Russian military personnel whose status is still unresolved. The Latvians have told the OSCE Mission to Latvia that they believe another 163, outside these lists, reside in Latvia illegally. Of the 1238 on the Russian lists, Russia has committed to repatriating 401 by the end of 1995. In addition, since the last determination, the Russians have recognized the need for individual case-by-case review of a second major category of the 1238, comprised of 771 cases. The Russians have redesignated the category "those claiming to have the right to stay," rather than those "having the right to stay." In noting the progress the two sides have made in resolving the issue of demobilized officers, the OSCE Mission has also commended the political will shown by the Latvian Government in agreeing to investigate each claim to stay with appropriate care. Latvian President Ulmanis stated in September that, despite their serious foreign policy disagreements, Latvia and Russia are continuing to develop good-neighborly bilateral relations.

The bilateral dialogue between Russia and Estonia has broadened and deepened since the last determination. On October 11, Russian Foreign Minister Kozyrev and Estonian Foreign Minister Riivo Sinijarv met in Helsinki to discuss, among other issues, the Estonian ratification process for the July 1994 agreements on troop withdrawal and Russian military pensioners. Sinijarv termed the meeting "very constructive and relaxed," and noted that despite difficulties, the two countries had achieved certain progress in the normalization of Estonian-Russian relations. In November, a group of Russian State Duma members visited the Estonian capital of Tallinn and discussed with their counterparts the schedule for ratification by Estonia of the bilateral agreements signed in July 1994. In mid-November during UNESCO's 50th anniversary celebrations in Paris, Estonian President Lennart Meri noted that "relations between Russia and Estonia have already passed their most difficult stage." He highlighted the progress

## Other Presidential Documents

made on the border talks as an example of this new phase in relations and stated that he viewed future relations with Russia with "optimism."

The decommissioning of the Paldiski facility in Estonia has also been cited by both sides as a major bilateral success. In his 50th UNGA address, Foreign Minister Sinjarv noted that on September 26 "the final remnant of occupation, in the form of the former Soviet nuclear submarine training facility at Paldiski, will be turned over to Estonian authorities by civilian Russian dismantling specialists. I take this opportunity to acknowledge Estonia's satisfaction with the Russian Federation's having fulfilled its commitments in this regard, as mandated by the agreement signed by Russia and Estonia on 30 July 1994."

Russia and Estonia continue to use the OSCE Permanent Council mechanism to raise issues of dispute. The Russians, for example, chose to use the October 12 meeting of the Permanent Council to express concern over a decision by the Estonian Parliament to remove from the week's agenda ratification of the bilateral Russian-Estonian agreement on military pensioners. Estonia replied that the Estonian government had resigned on October 11 and that this issue took precedence over ratification of the bilateral agreement. Since the October 12 OSCE meeting, the Estonian Parliament has been reviewing the package of troop withdrawal agreements for ratification as a high priority agenda item. On November 29, the package of agreements passed the first of three required readings in the Estonian Parliament. The OSCE has also appointed a representative to the Commission dealing with the granting of residence permits for Russian military pensioners desiring to stay in Estonia. Applications are being submitted and processed on a case-by-case basis under this program.

In U.S. discussions with Russian, Latvian, and Estonian officials, the residual troop withdrawal issue no longer receives the priority it once did as an outstanding problem between Russia and Latvia and Russia and Estonia. Further, local press commentators in the leadup to the September 30–October 1 elections in Latvia pointed out that normality had come at last to Latvia. Troop withdrawal concerns had ceased to be a key issue for the populace; integration into European institutions as well as bread and butter issues had taken on greater importance.

Russia and Latvia and Russia and Estonia continue to recognize the importance of dialogue and diplomacy in resolving the residual issues relating to troop withdrawals. They continue to look for practical ways, including through international mechanisms, to solve their differences and have moved significantly towards normal bilateral relations. In a November 7 speech to the opening session of the sixth Saeima in Riga, Latvian President Ulmanis eloquently defined the challenge and the goal facing the parties: "To find a fruitful balance for this mutual tension of political factors is both a task and a challenge to the creative and diplomatic abilities of our politicians."



### **Title 3—The President**

**Memorandum of December 8, 1995**

#### **Delegation of Authority Under Section 321(c) of the North American Free Trade Agreement Implementation Act**

##### *Memorandum for the United States Trade Representative*

By virtue of the authority vested in me as President by the Constitution and laws of the United States, including section 301 of title 3 of the United States Code, I hereby delegate to the United States Trade Representative (USTR) the powers vested in the President by section 321(c) of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3391(c)) with respect to the tariff rate quotas for tomatoes.

In carrying out this authority, USTR shall consult with interested agencies, as well as the National Economic Council and the National Security Council.

You are authorized and directed to publish this memorandum in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
Washington, December 6, 1995.

#### **Presidential Determination No. 96-7 of December 27, 1995**

#### **Presidential Certification To Suspend Sanctions Imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro)**

##### *Memorandum for the Secretary of State, the Secretary of the Treasury [and] the Secretary of Transportation*

Pursuant to the authority vested in me by section 1511(e)(2) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-160) (the "Act"), I hereby determine that the waiver or modification of the sanctions on Serbia and Montenegro that were imposed by or pursuant to the directives described in section 1511(a) (1-5) and (7-8) of the Act, in conformity with the provisions of United Nations Security Council Resolutions 1021 and 1022 of November 22, 1995, is necessary to achieve a negotiated settlement of the conflict in Bosnia-Herzegovina that is acceptable to the parties.

Therefore, I hereby direct the Secretary of the Treasury to take appropriate action to suspend the application of the sanctions imposed on Serbia and Montenegro pursuant to Executive Order No. 12808 of May 30, 1992, Executive Order No. 12810 of June 5, 1992, Executive Order No. 12831 of January 15, 1993, and Executive Order No. 12846 of April 25, 1993, effective upon the transmittal of this determination to the Congress. The property and interests in property previously blocked remain blocked until provision is made to address claims or encumbrances, including the claims of the other successor states of the former Yugoslavia.

I hereby direct the Secretary of Transportation to take appropriate action to suspend the application of the sanctions imposed pursuant to Depart-

## **Other Presidential Documents**

ment of Transportation Order 92-5-38 of May 20, 1992, Department of Transportation Order 92-6-27 of June 12, 1992, and Special Federal Aviation Regulation No. 66-2 of May 31, 1995 (14 C.F.R. Part 91, 60 Federal Register 28477), effective upon the transmittal of this determination to the Congress.

I hereby authorize the Secretary of State to take appropriate action to suspend the application of the sanctions imposed pursuant to Department of State Public Notice 1427 of July 11, 1991, at the appropriate time in conformity with the provisions of United Nations Security Council Resolution 1021 of November 22, 1995.

The national emergency declared in Executive Order No. 12808 and expanded in Executive Order No. 12934 shall continue in effect.

The Secretary of State is authorized and directed to publish this determination in the **Federal Register**.

WILLIAM J. CLINTON

THE WHITE HOUSE,

*Washington, December 27, 1995.*

### **MEMORANDUM OF JUSTIFICATION FOR PRESIDENTIAL CERTIFICATION REGARDING THE MODIFICATION OF THE APPLICATION OF U.S. SANCTIONS ON SERBIA AND MONTENEGRO**

The Serbia and Montenegro sanctions program is a key element of the President's policy aimed at bringing about a settlement of the conflict in the former Yugoslavia. The United States has continued to strive during the past three years to ensure strong enforcement of the sanctions on Serbia and Montenegro. This has maintained the effectiveness of the sanctions program, motivating the Serbian leadership to come to the negotiating table.

The General Framework Agreement for Peace in Bosnia and Herzegovina, signed in Paris on December 14, 1995, produced agreement among the warring parties to establish a single state of Bosnia-Herzegovina within its pre-1992 borders. Bosnia will be governed by a central government with constitutionally enumerated powers over internal and international affairs and will contain two entities. Along with resolution of many thorny territorial issues, the parties agreed to regional stabilization measures as well as to protect human rights and fundamental freedoms and to hold elections within the next year.

The agreement required more than two weeks of intensive negotiations in Dayton. During the talks, all sides were forced to make concessions on a range of deeply held issues. The likelihood of sanctions suspension was one of the key factors contributing to Serbian President Slobodan Milosevic's agreement at the talks. As the representative of Bosnian Serb interests at Dayton, Milosevic's role was crucial in reaching agreement. Sanctions relief was clearly anticipated as a consequence of accord, and has already taken the form of the United Nations Security Council Resolutions 1021 and 1022, adopted by the Council on November 22, 1995.

### **Title 3—The President**

Before agreeing to sanctions suspension, we insisted on a credible reposition mechanism to ensure no backsliding on the commitments made by the Serbs. If the IFOR commander or High Representative determines that the FRY or the Bosnian Serbs are not meeting their obligations under the Peace Agreement, economic sanctions may again go into effect against the Serbs. Accordingly, we plan to leave the Sanctions Assistance Mission infrastructure and monitors in place.

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**Appendix A—List of Messages to Congress Transmitting Budget  
Rescissions and Deferrals**

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**CHAPTER I—EXECUTIVE OFFICE OF THE  
PRESIDENT**

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## PART 100—STANDARDS OF CONDUCT

### Subpart A—General Standards

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### Subpart B—Special Procedures; Counsel to the President

- 100.735-31 Members of part-time committees, boards, and commissions.
- 100.735-32 Special delegation of authority to the Counsel to the President.

AUTHORITY: EO 12731 of Oct. 17, 1990, 55 FR 42547, 3 CFR, 1991 Comp.

SOURCE: 33 FR 3608, Feb. 29, 1968, unless otherwise noted.

## Subpart A—General Standards

### § 100.735-1 Purpose and scope.

(a) The maintenance of the highest standards of honesty, integrity, impartiality, and conduct by regular employees and special Government employees is essential to assure the proper performance of Government business and the maintenance of confidence by citizens in their Government. The avoidance of misconduct and conflicts of interest on the part of regular employees and special Government employees through informed judgment is indispensable to the maintenance of these standards.

(b) This part is intended to foster the foregoing concepts. It is issued in compliance with the requirements of Executive Order No. 11222 of May 8, 1965, and is based upon the provisions of that order, the regulations of the Civil Service Commission issued thereunder (part 735 of 5 CFR Ch. I), and the statutes cited elsewhere in this part.

(c) This part, among other things reflects prohibitions and requirements imposed by the criminal and civil laws of the United States. However, the paraphrased restatements of criminal and civil statutes contained in this part are designed for informational purposes only and in no way constitute an interpretation or construction thereof that is binding upon the Federal Government. Moreover, this part does not purport to paraphrase or enumerate all restrictions or requirements imposed by statutes, Executive Orders, regulations or otherwise upon Federal employees and former Federal employees. The omission of a reference to any such restriction or requirement in no way alters the legal effect of that restriction or requirement and any such restriction or requirement, as the case may be, continues to be applicable to employees and former employees in accordance with its own terms. Furthermore, attorneys employed by an agency are subject to the canons of professional ethics of the American Bar Association.

### § 100.735-2 Definitions.

In this subpart:

(a) *Agency* means the following agencies in the Executive Office of the

President: The White House Office, the Council of Economic Advisers, the National Security Council, the National Aeronautics and Space Council, the Office of Science and Technology, and the Office of the Special Representative for Trade Negotiations, and any committee, board, commission, or similar group established in the Executive Office of the President.

(b) *Agency head* means the President for the White House Office, the Chairman of the Council of Economic Advisers for the Council of Economic Advisers, the Executive Secretary of the National Security Council for the National Security Council, the Executive Secretary of the National Aeronautics and Space Council for the National Aeronautics and Space Council, the Director of the Office of Science and Technology for the Office of Science and Technology, and the Special Representative for Trade Negotiations for the Office of the Special Representative for Trade Negotiations, and the Chairman or comparable member of any committee, board, commission, or similar group established by the President.

(c) *Employee or regular employee* means an officer or employee of an agency but does not include a special Government employee.

(d) *Special Government employee* means an officer or employee of an agency who is retained, designated, appointed, or employed to perform, with or without compensation, for not to exceed 130 days during any period of 365 consecutive days, temporary duties, either on a full-time or intermittent basis.

(e) The term *person* means an individual, a corporation, a company, an association, a firm, a partnership, a society, a joint stock company, or any other organization or institution.

#### § 100.735-3 Special Government employees.

Except where specifically provided otherwise, or where limited in terms or by the context to regular employees, all provisions of this subpart relating to employees are applicable also to special Government employees.

#### § 100.735-4 General standards of conduct.

(a) All employees shall conduct themselves on the job in such a manner that the work of their agency is efficiently accomplished and courtesy, consideration, and promptness are observed in dealings with the Congress, the public, and other governmental agencies.

(b) All employees shall conduct themselves off the job in such a manner as not to reflect adversely upon their agency or the Federal service.

(c) In all circumstances employees shall conduct themselves so as to exemplify the highest standards of integrity. An employee shall avoid any action, whether or not specifically prohibited by this subpart, which might result in, or create the appearance of:

(1) Using public office for private gain;

(2) Giving preferential treatment to any person;

(3) Impeding Government efficiency or economy;

(4) Losing complete independence or impartiality;

(5) Making a Government decision outside official channels; or

(6) Affecting adversely the confidence of the public in the integrity of the Government.

#### § 100.735-5 Responsibilities of employees.

(a) The Executive Clerk for the White House Office and the Counselor for each other agency shall distribute copies of this subpart to each employee and special Government employee within 30 days after the effective date thereof. In the case of a new employee or special Government employee entering on duty after the date of such distribution, a copy shall be furnished at the time of his entrance on duty. All employees and special Government employees shall familiarize themselves with the contents of this subpart.

(b) Copies of Executive Order 11222, regulations, and statutes referred to in § 100.735-1, together with various explanatory materials are available for inspection in the Office of the Executive Clerk for the White House Office and the Counselor for each other agency at any time during regular business



hours. Employees are encouraged to consult these basic materials in any case of doubt as to the proper application or interpretation of the provisions of this subpart.

(c) Attention of all employees is directed to House Concurrent Resolution 175, 85th Congress, 2d session, 72 Stat. B12, the "Code of Ethics for Government Service", which is attached to this subpart as Appendix A.

**§ 100.735-6 Interpretation and advisory service; counseling.**

(a) The agency head shall appoint a Counselor for the agency who shall serve also as the agency's designee to the Civil Service Commission on matters covered by this part. Communications between the Counselor and employee shall be confidential, except as otherwise determined by the agency head.

(b) The Counselor for the agency shall notify all employees and special Government employees of the availability of counseling services, and of how and where such services are available. Such notification shall be made within 90 days after the effective date of this subpart and periodically thereafter. In the case of a new employee or special Government employee appointed after the date of such notification, notification shall be given at the time of his entrance on duty.

**§ 100.735-7 Disciplinary action.**

(a) A violation of any provision of this subpart by an employee may be cause for appropriate disciplinary action which may be in addition to any penalties prescribed by law. (As to remedial action in cases where an employee's financial interests result in a conflict or apparent conflict of interest, see § 100.735-26.)

(b) Any disciplinary or remedial action taken pursuant to this subpart shall be effected in accordance with any applicable laws, Executive orders, and regulations.

**§ 100.735-8 Conflicts of interest.**

(a) A conflict of interest may exist whenever an employee has a substantial personal or private interest in a matter which involves his duties and responsibilities as an employee. The

maintenance of public confidence in Government clearly demands that an employee take no action which would constitute the use of his official position to advance his personal or private interest. It is equally important that each employee avoid becoming involved in situations which present the possibility, or even the appearance, that his official position might be used to his private advantage.

(b) Neither the pertinent statutes nor the standards of conduct prescribed in this subpart are to be regarded as entirely comprehensive. Each employee must, in each instance involving a personal or private interest in a matter which also involves his duties and responsibilities as an employee, make certain that his actions do not have the effect or the appearance of the use of his official position for the furtherance of his own interests or those of his family or his business associates.

(c) The principal statutory provisions relating to bribery, graft, and conflicts of interest are contained in Chapter 11 of the Criminal Code, 18 U.S.C. 201-224. Severe penalties are provided for violations, including variously fine, imprisonment, dismissal from office, and disqualification from holding any office of honor, trust, or profit under the United States.

**§ 100.735-9 Disqualification because of private financial interests.**

(a) Unless authorized to do so as provided hereafter in this section, no employee shall participate personally and substantially as a Government employee in a particular matter in which to his knowledge he has a financial interest (18 U.S.C. 208).

(1) For the purposes of this section—

(i) An employee participates personally and substantially in a particular matter through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise;

(ii) A particular matter is a judicial or other proceeding, application, request for ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter; and

(iii) A financial interest is the interest of the employee himself or his

spouse, minor child, partner, organization in which he is serving as officer, director, trustee, partner, or employee, or any person or organization with whom he is negotiating or has any arrangement concerning prospective employment.

(b) An employee who has a financial interest (other than a financial interest exempted under paragraph (c) of this section) in a particular matter which is within the scope of his official duties shall make a full disclosure of that interest to the Counselor for the agency in writing. He shall not participate in such matter unless and until he receives a written determination by the agency head pursuant to section 208 of Title 18, United States Code, that the interest is not so substantial as to be deemed likely to affect the integrity of the services which the Government may expect of him. If the agency head does not make such a determination he shall direct such remedial action as may be appropriate under the provisions of § 100.735-26.

(c) The financial interests described in this paragraph are hereby exempted pursuant to the provisions of section 208 of Title 18, United States Code, from the restrictions of paragraph (a) of this section and of section 208 of Title 18 as being too remote or inconsequential to affect the integrity of an employee's services in a matter.

(1) Stocks, bonds, policies, properties, or interests in a mutual fund, investment company, trust, bank, or insurance company, as to which the employee has no managerial control or directorship. In the case of a mutual fund or investment company, this exemption applies only where the assets of the fund or company are diversified; it does not apply where the fund or company advertises that it specializes in a particular industry or commodity.

(2) Interest in an investment club: *Provided*, That the fair value of the interest involved does not exceed \$5,000, and that the interest does not exceed one-fourth of the total assets of the investment club.

#### **§ 100.735-10 Additional prohibitions—regular employees.**

(a) In addition to the disqualification described in § 100.735-9, a regular em-

ployee is subject to the following major prohibitions.

(1) He may not, except in the discharge of his official duties, represent anyone else before a court or Government agency in a matter in which the United States is a party or has an interest. This prohibition applies both to paid and unpaid representation of another (18 U.S.C. 203 and 205).

(2) He may not, after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government (18 U.S.C. 207(a)).

(3) He may not, for 1 year after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and which was within the boundaries of his official responsibility during the last year of his Government service (18 U.S.C. 207(b)). (This temporary restraint is permanent if the matter is one in which he participated personally and substantially. See subparagraph (2) of this paragraph.)

(4) He may not receive any salary, or supplementation of his Government salary, from a private source as compensation for his services to the Government (18 U.S.C. 209). (See § 100.735-13.)

(b) Exemptions or exceptions from the prohibitions described in paragraph (a) of this section are permitted under certain circumstances. For the method of obtaining such exemptions or exceptions, see paragraph (d) of § 100.735-12.

#### **§ 100.735-11 Additional prohibitions—special Government employees.**

(a) In addition to the disqualification described in § 100.735-9, a special Government employee is subject to the following major prohibitions.

(1) He may not, except in the discharge of his official duties—

(i) Represent anyone else before a court or Government agency in a matter in which the United States is a party or has an interest and in which he has at any time participated personally and substantially for the Government (18 U.S.C. 203 and 205), or

(ii) Represent anyone else in a matter pending before his agency unless he served there no more than 60 days during the previous 365 (18 U.S.C. 203 and 205). He is bound by this restraint despite the fact that the matter is not one in which he has ever participated personally and substantially.

(2) He may not, after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and in which he participated personally and substantially for the Government (18 U.S.C. 207(a)).

(3) He may not, for 1 year after his Government employment has ended, represent anyone other than the United States in connection with a matter in which the United States is a party or has an interest and which was within the boundaries of his official responsibility during the last year of his Government service (18 U.S.C. 207(b)). (This temporary restraint is permanent if the matter is one in which he participated personally and substantially. See subparagraph (2) of this paragraph.)

(b) Exemptions or exceptions from the prohibitions described in paragraph (a) of this section are permitted under certain circumstances; for the method of obtaining such exemptions or exceptions, see paragraph (d) of § 100.735-12.

**§ 100.735-12 Exemptions and exceptions from prohibitions of conflict of interest statutes.**

(a) Nothing in this subpart shall be deemed to prohibit an employee, if it is not otherwise inconsistent with the faithful performance of his duties, from acting without compensation as agent or attorney for any person in a disciplinary, loyalty, or other Federal personnel administration proceeding involving such person.

(b) Nothing in this subpart shall be deemed to prohibit an employee from acting, with or without compensation, as agent or attorney for his parents, spouse, child, or any person for whom, or for any estate for which, he is serving as guardian, executor, administrator, trustee or other personal fiduciary, except in those matters in which he has participated personally and substantially as a Government employee,

through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, or which are the subject of his official responsibility, as defined in section 202(b) of Title 18 of the United States Code, provided that the agency head approves.

(c) Nothing in this subpart shall be deemed to prohibit an employee from giving testimony under oath or from making statements required to be made under penalty for perjury or contempt.

(d) In addition to the exemptions and exceptions described in this section and in § 100.735-9, the conflict of interest statutes permit certain exemptions and exceptions in specific circumstances. The procedure for effecting such exemptions or exceptions is as follows:

(1) Any regular employee or special Government employee who desires approval or certification of his activities as provided for by section 205 of Title 18, United States Code, shall make application therefor in writing to the Counselor for the agency.

(2) A former employee, including a former special Government employee, who desires certification with regard to his activities under section 207 of Title 18, United States Code, shall make application therefor in writing to the Counselor for the agency.

(3) The Counselor for the agency shall report promptly to the agency head all matters reported to him under this subpart which require consideration of approvals, certifications, or determinations provided for in sections 205, 207, or 208 of Title 18, United States Code.

**§ 100.735-13 Salary of employee payable only by United States.**

(a) No employee, other than a special Government employee or an employee serving without compensation, shall receive any salary, or any contribution to or supplementation of salary, as compensation for his services as an employee, from any source other than the Government of the United States, except as may be contributed out of the treasury of any State, county, or municipality (18 U.S.C. 209).

(b) Nothing in this subpart shall be deemed to prohibit an employee from

continuing to participate in a bona fide pension, retirement, group life, health, or accident insurance, profit-sharing, stock bonus, or other employee welfare or benefit plan maintained by a former employer nor from accepting contributions, awards, or other expenses under Chapter 41 of Title 5, United States Code (the former Government Employees Training Act).

**§ 100.735-14 Gifts, entertainment, and favors.**

(a) Except as provided in paragraph (b) of this section, an employee shall not solicit or accept, directly or indirectly, any gift, gratuity, favor, entertainment, loan, or any other thing of monetary value from a person who:

(1) Has, or is seeking to obtain, contractual or other business or financial relations with his agency;

(2) Conducts operations or activities which are regulated by his agency; or

(3) Has interests which may be substantially affected by the performance or nonperformance of his official duty.

(b) Notwithstanding paragraph (a) of this section, an employee may:

(1) Accept a gift, gratuity, favor, entertainment, loan or other thing of monetary value from a friend, parent, spouse, child, or other close relative when the circumstances make it clear that the family or personal relationships involved are the motivating factors;

(2) Accept food or refreshments of nominal value on infrequent occasions in the ordinary course of a luncheon or dinner meeting or other meeting or on an inspection tour whom an employee may properly be in attendance;

(3) Accept loans from banks or other financial institutions on customary terms to finance proper or usual activities of employees, such as home mortgage loans; and

(4) Accept unsolicited advertising or promotional materials such as pens, pencils, note pads, calendars, or other items of nominal intrinsic value.

(c) An employee shall not solicit contributions from another employee for a gift to an employee in a superior official position. An employee in a superior official position shall not accept a gift presented as a contribution from employees receiving less salary than

himself. An employee shall not make a donation as a gift to an employee in a superior official position (5 U.S.C. 7351). However, this paragraph does not prohibit a voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness or retirement.

(d) The Constitution (Art. 1, sec. 9, par. 8) prohibits acceptance from foreign governments, except with the consent of Congress, of any emolument, office, or title. The Congress has provided for the receipt and disposition of foreign gifts and decorations in 5 U.S.C. 7342. See also Executive Order 11320, 31 FR 15789, and the regulations pursuant thereto in 22 CFR part 3 (as added, 32 FR 6569). Any such gift or thing which cannot appropriately be refused shall be submitted to the Counselor for transmittal to the State Department.

**§ 100.735-15 Outside employment and other activity.**

(a) An employee shall not engage in outside employment or other outside activity not compatible with the full and proper discharge of the duties and responsibilities of his Government employment. Incompatible activities include, but are not limited to:

(1) Acceptance of a fee, compensation, gift, payment of expense, or any other thing of monetary value in circumstances in which acceptance may result in, or create the appearance of, a conflict of interest; or

(2) Outside employment which tends to impair the employee's mental or physical capacity to perform his Government duties and responsibilities in an acceptable manner.

(b) Within the limitations imposed by this section, employees are encouraged to engage in teaching, lecturing, and writing. However, an employee shall not, either for or without compensation, engage in teaching, lecturing, or writing that is dependent on information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the agency head gives written authorization for the use of non-public information on the basis that the use is in the

public interest. In addition, an employee who is a Presidential appointee covered by section 401(a) of Executive Order No. 11222 of May 8, 1966, shall not receive compensation or anything of monetary value for any consultation, lecture, discussion, writing, or appearance the subject matter of which is devoted substantially to the responsibilities, programs, or operations of his agency, or which draws substantially on official data or ideas which have not become part of the body of public information.

(c) An employee shall not engage in outside employment under a State or local government, except in accordance with applicable regulations of the Civil Service Commission (part 734 of 5 CFR Ch. I).

(d) Neither this section nor § 100.735-14 precludes an employee from:

(1) Receipt of bona fide reimbursement, unless prohibited by law, for actual expenses for travel and such other necessary subsistence as is compatible with this subpart and for which no Government payment or reimbursement is made. However, an employee may not be reimbursed, and payment may not be made on his behalf, for excessive personal living expenses, gifts, entertainment, or other personal benefits, nor does it allow an employee to be reimbursed by a person for travel on official business under agency orders when reimbursement is proscribed by Decision B-128527 of the Comptroller General dated March 7, 1967.

(2) Participation in the activities of national or State political parties not proscribed by law. (See paragraph (o) of § 100.735-22 regarding proscribed political activities.)

(3) Participation in the affairs of, or acceptance of an award for a meritorious public contribution or achievement given by, a charitable, religious, professional, social, fraternal, nonprofit educational or recreational, public service, or civic organization.

(e) An employee who intends to engage in outside employment shall obtain the approval, through his official superior, of his agency head. A record of each approval under this paragraph shall be filed in the employee's official personnel folder.

(f) This section does not apply to special Government employees, who are subject to the provisions of § 100.735-23.

#### § 100.735-16 Financial interests.

(a) An employee may not have financial interests which—

(1) Establish a substantial personal or private interest in a matter which involves his duties and responsibilities as an employee (an employee may not have financial interests, except as permitted by § 100.735-9(c) or authorized pursuant to § 100.735-12(d); or

(2) Are entered into in reliance upon, or as a result of, information obtained through his employment; or

(3) Result from active and continuous trading (as distinguished from the making of bona fide investments) which is conducted on such a scale as to interfere with the proper performance of his duties.

(b) Aside from the restrictions prescribed or cited in this subpart, employees are free to engage in lawful financial transactions to the same extent as private citizens. Employees should be aware that the financial interests of their wives of minor children and blood relatives who are full-time residents of their households may be regarded, for the purposes of this section, as financial interests of the employees themselves.

(c) This section does not apply to special Government employees, who are subject to the provisions of § 100.735-23.

#### § 100.735-17 Use of Government property.

An employee shall not directly or indirectly use, or allow the use of, Government property of any kind, including property leased to the Government, for other than officially approved activities. An employee has a positive duty to protect and conserve Government property including equipment, supplies, and other property entrusted or issued to him.

#### § 100.735-18 Misuse of information.

For the purpose of furthering a private interest, an employee shall not, except as provided in paragraph (b) of § 100.735-15, directly or indirectly use, or allow the use of, official information obtained through or in connection with

his Government employment which has not been made available to the general public.

#### § 100.735-19 Indebtedness.

An employee shall pay each just financial obligation in a proper and timely manner, especially one imposed by law such as Federal, State, or local taxes. For the purpose of this section, a *just financial obligation* means one acknowledged by the employee, or reduced to judgment by a court, and *in a proper and timely manner* means in a manner which his agency determines does not, under the circumstances, reflect adversely on the Government as his employer. In the event of dispute between an employee and an alleged creditor, this section does not require an agency to determine the validity or amount of the disputed debt.

#### § 100.735-20 Gambling, betting, and lotteries.

An employee shall not participate, while on Government-owned or leased property or while on duty for the Government, in any gambling activity, including the operation of a gambling device, in conducting a lottery or pool, in a game for money or property, or in selling or purchasing a numbers slip or ticket.

#### § 100.735-21 General conduct prejudicial to the Government.

An employee shall not engage in criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct, or other conduct prejudicial to the Government.

#### § 100.735-22 Miscellaneous statutory provisions.

Each employee shall acquaint himself with each statute that relates to his ethical and other conduct as an employee of his agency and of the Government. In particular, attention of employees is directed to the following statutory provisions:

(a) Chapter 11 of Title 18, United States Code, relating to bribery, graft, and conflicts of interest, as appropriate to the employees concerned (see §§ 100.735-9, 100.735-10, and 100.735-11).

(b) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(c) The prohibitions against disloyalty and striking (5 U.S.C. 7311, 18 U.S.C. 1918).

(d) The prohibition against the employment of a member of a Communist organization (50 U.S.C. 784).

(e) The prohibitions against (1) the disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783) and (2) the disclosure of confidential information (18 U.S.C. 1905).

(f) The provision relating to the habitual use of intoxicants to excess (5 U.S.C. 7352).

(g) The prohibition against the misuse of a Government vehicle (31 U.S.C. 638a(c)).

(h) The prohibition against the misuse of the franking privilege (18 U.S.C. 1719).

(i) The prohibition against the use of deceit in an examination or personnel action in connection with Government employment (5 U.S.C. 1917).

(j) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(k) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(l) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(m) The prohibitions against (1) embezzlement of Government money or property (18 U.S.C. 641); (2) failing to account for public money (18 U.S.C. 643); and (3) embezzlement of the money or property of another person in the possession of an employee by reason of his employment (18 U.S.C. 654).

(n) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(o) The prohibition against political activities in subchapter III of chapter 73 of title 5, United States Code and 18 U.S.C. 602, 603, 607, and 608.

(p) The prohibition against an employee acting as the agent of a foreign principal registered under the Foreign Agents Registration Act (18 U.S.C. 219).

**§ 100.735-23 Conduct and responsibilities of special Government employees.**

(a) A special Government employee shall not use his Government employment for a purpose that is, or gives the appearance of being, motivated by the desire for private gain for himself or another person, particularly one with whom he has family, business, or financial ties.

(b) A special Government employee shall not use inside information obtained as a result of his Government employment for private gain for himself or another person whether by direct action on his part or by counsel, recommendation, or suggestion to another person, particularly one with whom he has family, business, or financial ties. For the purposes of this section, *inside information* means information obtained under Government authority which has not become part of the body of public information.

(c) A special Government employee who engages in teaching, lecturing, or writing, whether for or without compensation, shall not for such purposes make use of information obtained as a result of his Government employment, except when that information has been made available to the general public or will be made available on request, or when the agency head gives written authorization for the use of nonpublic information on the basis that such use is in the public interest.

(d) A special Government employee shall not use his Government employment to coerce, or give the appearance of coercing, a person to provide financial benefit to himself or another person, particularly one with whom he has family, business, or financial ties.

(e) Except as provided in paragraph (f) of this section, a special Government employee, while so employed or in connection with his employment, shall not receive or solicit from a person having business with his agency anything of value as a gift, gratuity, loan, entertainment, or favor for himself or another person, particularly one with whom he has family, business, or financial ties.

(f) Notwithstanding paragraph (e) of this section a special Government employee shall be allowed the same latitude

as is authorized for regular Government employees by paragraph (b) of § 100.735-14.

(g) Attention of special Government employees is directed to the provisions of § 100.735-3, making the provisions of this subpart generally applicable to their activities.

**§ 100.735-24 Reporting of employment and financial interests—regular employees.**

(a) Not later than 90 days after the effective date of this subpart, an employee designated in paragraph (d) of this section shall submit to his agency head a statement, on a form made available in the office of the Executive Clerk for the White House Office and the Counselor for each other agency, setting forth the following information:

(1) A list of the names of all corporations, companies, firms, or other business enterprises, partnerships, non-profit organizations, and educational or other institutions with or in which he, his spouse, minor child or other member of his immediate household has—

(i) Any connection as an employee, officer, owner, director, member, trustee, partner, adviser or consultant; or

(ii) Any continuing financial interest, through a pension or retirement plan, shared income, or other arrangement as a result of any current or prior employment or business or professional association; or

(iii) Any financial interest through the ownership of stock, stock options, bonds, securities, or other arrangements including trusts.

However, an employee need not report any financial interest exempted under § 100.735-9(c) as too remote or inconsequential to affect the integrity of an employee's services in a matter.

(2) A list of the names of his creditors and the creditors of his spouse, minor child or other member of his immediate household, other than those creditors to whom they may be indebted by reason of a mortgage on property which he occupies as a personal residence or to whom they may be indebted for current and ordinary household and living expenses such as those incurred for household furnish-

ings, an automobile, education, vacations, or the like.

(3) A list of his interests and those of his spouse, minor child or other member of his immediate household in real property or rights in lands, other than property which he occupies as a personal residence.

(b) For the purpose of this section *member of his immediate household* means a full-time resident of the employee's household who is related to him by blood.

(c) Each employee designated in paragraph (d) of this section who enters on duty after the effective date of this subpart shall submit such statement not later than 30 days after the date of his entrance on duty, but not earlier than 90 days after the effective date of this subpart.

(d) Statements of employment and financial interests are required of the following:

(1) Employees paid at a level of the Executive Schedule in subchapter II of chapter 53 of title 5, United States Code, except a Presidential appointee required to file a statement of financial interests under section 401 of Executive Order No. 11222 of May 8, 1965.

(2) Employees in classified positions of grade GS-13 or above, or the equivalent thereof.

(e) Changes in, or additions to, the information contained in an employee's statement of employment and financial interests shall be reported in a supplementary statement as of June 30 each year. If no changes or additions occur, a negative report is required. Notwithstanding the filing of the annual report required by this paragraph, each employee shall at all times avoid acquiring a financial interest that could result, or taking an action that would result, in a violation of the conflicts-of-interest provisions of 18 U.S.C. 208 or this subpart.

(f) If any information required to be included on a statement of employment and financial interests or supplementary statement, including holdings placed in trust, is not known to the employee but is known to another person, the employee shall request that other person to submit the information in his behalf.

(g) Paragraph (a) of this section does not require an employee to submit any information relating to his connection with, or interest in, a professional society or a charitable, religious, social, fraternal, recreational, public service, civic, or political organization or a similar organization not conducted as a business enterprise. For the purpose of this section, educational and other institutions doing research and development or related work involving grants of money from or contracts with the Government are deemed "business enterprises" and are required to be included in an employee's statement of employment and financial interests.

(h) Each agency shall hold each statement of employment and financial interests in confidence. Each person designated to review a statement of employment and financial interests under section 100.735-26 is responsible for maintaining the statement in confidence and shall not allow access to, or allow information to be disclosed from, a statement except to carry out the purpose of this subpart. An agency may not disclose information from a statement except as the Civil Service Commission or the agency head may determine for good cause shown.

(i) The statements of employment and financial interests and supplementary statements required of employees are in addition to, and not in substitution for, or in derogation of, any similar requirement imposed by law, order, or regulation. The submission of a statement by an employee does not permit him or any other person to participate in a matter in which his or the other person's participation is prohibited by law, order, or regulation.

(j) An employee who believes that his position has been improperly included as one requiring the submission of a statement of employment and financial interests is entitled to obtain a review of his complaint under his agency's grievance procedure.

(k) This section does not apply to special Government employees, who are subject to the provisions of § 100.735-25.



**§ 100.735-25 Reporting of employment and financial interests—special Government employees.**

(a) A special Government employee shall submit to the agency head a statement of employment and financial interests which reports (1) all current Federal Government employment, (2) the names of all corporations, companies, firms, State of local governmental organizations, research organizations, and educational or other institutions in or for which he is an employee, officer, member, owner, trustee, director, adviser, or consultant, with or without compensation, (3) those financial interests which the agency determines are relevant in the light of the duties he is to perform, and (4) the names of all partnerships in which he is engaged.

(b) A statement required under this section shall be submitted at the time of employment and shall be kept current throughout the term of a special Government employee's service with an agency. A supplementary statement shall be submitted at the time of any reappointment; a negative report will suffice if no changes have occurred since the submission of the last statement.

**§ 100.735-26 Reviewing statements of financial interests.**

(a) A designee of the agency head shall review the statements required by §§ 100.735-24 and § 100.735-25 to determine whether there exists a conflict, or appearance of conflict, between the interests of the employee or special Government employee concerned and the performance of his service for the Government. If the designee determines that such a conflict or appearance of conflict exists, he shall provide the employee with an opportunity to explain the conflict or appearance of conflict. If he concludes that remedial action should be taken, he shall refer the statement to the agency head through the Counselor for the agency designated pursuant to § 100.735-6, with his recommendation for such action. The agency head, after consideration of the employee's explanation and such investigation as he deems appropriate shall direct appropriate remedial action if he deems it necessary.

(b) Remedial action pursuant to paragraph (a) of this section may include, but is not limited to:

- (1) Changes in assigned duties.
- (2) Divestment by the employee of his conflicting interest.
- (3) Disqualification for a particular action.
- (4) Exemption pursuant to paragraph (b) of § 100.735-9 or paragraph (d) of § 100.735-12.
- (5) Disciplinary action.

**§ 100.735-27 Supplemental regulations or instructions.**

An agency head may issue supplemental and implementing regulations or instructions not inconsistent with this subpart as necessary to carry out the full purpose and intent of Executive Order 11222 and this subpart as may be required by the particular circumstances of his agency. Such regulations or instructions may include but are not limited to, delegations of any authority allowed by law pertaining to the functions placed upon the agency head by this subpart. Such regulations or instructions must be made available to employees and special Government employees in the same manner as this subpart (see § 100.735-5).

**Subpart B—Special Procedures; Counsel to the President**

**§ 100.735-31 Members of part-time committees, boards, and commissions.**

(a) This section applies to each part-time member of a committee, board, or commission appointed by the President (referred to in this section as a Member).

(b) When the Counsel to the President determines that the functions and responsibilities of a committee, board, or commission are such that consistent with the policy and purpose of Executive Order 11222 the Members thereof should submit statements of employment and financial interests, he shall request each Member thereof to submit such a statement to the Chairman of the Civil Service Commission.

(c) A statement of employment and financial interests required under this section shall be submitted not later than 30 days after the Member's receipt

of the request therefor from the Counsel to the President, and shall be kept up to date by submission of amended statements of any changes in, or additions to, the information required to be included in the original statement, on a quarterly basis. The statement shall be submitted in the format prescribed by the Chairman of the Civil Service Commission.

(d) The Chairman of the Civil Service Commission shall review each statement of employment and financial interests and any amendment thereto submitted under this section and shall report to the Counsel to the President any information contained in a statement which may indicate a conflict between the financial interests of the Member concerned and the performance of his services for the Government.

**§ 100.735-32 Special delegation of authority to the Counsel to the President.**

The authority of the President under sections 205 and 208(b) of Title 18, United States Code, to permit certain actions by an officer or employee of the Government, including a special Government employee, for appointment to whose position the President is responsible, reserved to the President by section 505(c) of Executive Order 11222, is delegated to the Counsel to the President.

**PART 101—PUBLIC INFORMATION PROVISIONS OF THE ADMINISTRATIVE PROCEDURES ACT**

**Sec.**

- 101.1 Executive Office of the President.
- 101.2 Office of Management and Budget.
- 101.3 Office of Administration.
- 101.4 National Security Council.
- 101.5 Council on Environmental Quality.
- 101.6 Office of National Drug Control Policy.
- 101.7 Office of Science and Technology Policy.
- 101.8 Office of the United States Trade Representative.

**AUTHORITY:** 5 U.S.C. 552.

**SOURCE:** 40 FR 8061, Feb. 25, 1975 and 55 FR 46037, November 1, 1990, unless otherwise noted.

**§ 101.1 Executive Office of the President.**

Until further regulations are promulgated, the remainder of the entities within the Executive Office of the President, to the extent that 5 U.S.C. 552 is applicable, shall follow the procedures set forth in the regulations applicable to the Office of Management and Budget (5 CFR Ch. III). Requests for information from these other entities should be submitted directly to such entity.

**§ 101.2 Office of Management and Budget.**

Freedom of Information regulations for the Office of Management and Budget appear at 5 CFR Ch. III.

**§ 101.3 Office of Administration.**

Freedom of Information regulations for the Office of Administration appear at 5 CFR part 2502.

[55 FR 46037, Nov. 1, 1990]

**§ 101.4 National Security Council.**

Freedom of Information regulations for the National Security Council appear at 32 CFR Ch. XXI.

**§ 101.5 Council on Environmental Quality.**

Freedom of Information regulations for the Council on Environmental Quality appear at 40 CFR Ch. V.

[42 FR 65131, Dec. 30, 1977]

**§ 101.6 Office of National Drug Control Policy.**

Freedom of Information regulations for the Office of National Drug Control Policy appear at 21 CFR parts 1400-1499.

[55 FR 46037, Nov. 1, 1990]

**§ 101.7 Office of Science and Technology Policy.**

Freedom of Information regulations for the Office of Science and Technology Policy appear at 32 CFR part 2402.

[55 FR 46037, Nov. 1, 1990]

**§ 101.8 Office of the United States Trade Representative.**

Freedom of Information regulations for the Office of the United States

Trade Representative appear at 15 CFR part 2004.

[56 FR 46037, Nov. 1, 1990]

# **PART 102—ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PRO- GRAMS OR ACTIVITIES CON- DUCTED BY THE EXECUTIVE OF- FICE OF THE PRESIDENT**

## **Sec.**

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- 102.170 Compliance procedures.
- 102.171–102.999 [Reserved]

**AUTHORITY:** 29 U.S.C. 794.

**SOURCE:** 53 FR 26879, July 8, 1988, unless otherwise noted.

## **§ 102.101 Purpose.**

The purpose of this regulation is to effectuate section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, which amended section 504 of the Rehabilitation Act of 1973 to prohibit discrimination on the basis of handicap in programs or activities conducted by Executive agencies or the United States Postal Service.

## **§ 102.102 Application.**

This regulation (§§ 102.101–102.170) applies to all programs or activities conducted by the agency, except for programs or activities conducted outside the United States that do not involve individuals with handicaps in the United States.

## **§ 102.103 Definitions.**

For purposes of this regulation, the term—

*Agency* means, for purposes of this regulation only, the following entities in the Executive Office of the President: the White House Office, the Office of the Vice President, the Office of Management and Budget, the Office of Policy Development, the National Security Council, the Office of Science and Technology Policy, the Office of the United States Trade Representative, the Council on Environmental Quality, the Council of Economic Advisers, the Office of Administration, the Office of Federal Procurement Policy, and any committee, board, commission, or similar group established in the Executive Office of the President.

*Agency head or head of the agency*; as used in §§ 102.150(a)(3), 102.160(d) and 102.170 (i) and (j), shall be a three-member board which will include the Director, Office of Administration, the head of the Executive Office of the President, agency in which the issue needing resolution or decision arises and one other agency head selected by the two other board members. In the event that an issue needing resolution or decision arises within the Office of Administration, one of the board members shall be the Director of the Office of Management and Budget.

*Assistant Attorney General* means the Assistant Attorney General, Civil Rights Division, United States Department of Justice.

*Auxiliary aids* means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities conducted by the agency. For example, auxiliary aids useful for persons with impaired vision include readers, Brailled materials, audio recordings, and other similar services and devices. Auxiliary aids useful for persons with impaired hearing include telephone handset amplifiers, telephones compatible with hearing aids, telecommunication devices for deaf persons (TDD's), interpreters, notetakers, written materials, and other similar services and devices.

*Complete complaint* means a written statement that contains the complain-

ant's name and address and describes the agency's alleged discriminatory action in sufficient detail to inform the agency of the nature and date of the alleged violation of section 504. It shall be signed by the complainant or by someone authorized to do so on his or her behalf. Complaints filed on behalf of classes or third parties shall describe or identify (by name, if possible) the alleged victims of discrimination.

**Facility** means all or any portion of buildings, structures, equipment, roads, walks, parking lots, rolling stock or other conveyances, or other real or personal property.

**Historic preservation programs** means programs conducted by the agency that have preservation of historic properties as a primary purpose.

**Historic properties** means those properties that are listed or eligible for listing in the National Register of Historic Places or properties designated as historic under a statute of the appropriate State or local government body.

**Individual with handicaps** means any person who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment.

As used in this definition, the phrase:

(1) *Physical or mental impairment* includes—

(i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or

(ii) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, and drug addiction and alcoholism.

(2) *Major life activities* includes functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(3) *Has a record of such an impairment* means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) *Is regarded as having an impairment* means—

(i) Has a physical or mental impairment that does not substantially limit major life activities but is treated by the agency as constituting such a limitation;

(ii) Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or

(iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by the agency as having such an impairment.

**Qualified individual with handicaps** means—

(1) With respect to preschool, elementary, or secondary education services provided by the agency, an individual with handicaps who is a member of a class of persons otherwise entitled by statute, regulation, or agency policy to receive education services from the agency;

(2) With respect to any other agency program or activity under which a person is required to perform services or to achieve a level of accomplishment, an individual with handicaps who meets the essential eligibility requirements and who can achieve the purpose of the program or activity without modifications in the program or activity that the agency can demonstrate would result in a fundamental alteration in its nature;

(3) With respect to any other program or activity, an individual with handicaps who meets the essential eligibility requirements for participation in, or receipt of benefits from, that program or activity; and

(4) "Qualified handicapped person" as that term is defined for purposes of employment in 29 CFR 1613.702(f), which is

made applicable to this regulation by § 102.140.

*Section 504* means section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112, 87 Stat. 394 (29 U.S.C. 794)), as amended by the Rehabilitation Act Amendments of 1974 (Pub. L. 93-516, 88 Stat. 1617); the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978 (Pub. L. 95-602, 92 Stat. 2965); and the Rehabilitation Act Amendments of 1986 (Pub. L. 99-506, 100 Stat. 1810). As used in this regulation, section 504 applies only to programs or activities conducted by Executive agencies and not to federally assisted programs.

*Substantial impairment* means a significant loss of the integrity of finished materials, design quality, or special character resulting from a permanent alteration.

§§ 102.104—102.109 [Reserved]

§ 102.110 Self-evaluation.

(a) The agency shall, by September 6, 1989, evaluate its current policies and practices, and the effects thereof, that do not or may not meet the requirements of this regulation and, to the extent modification of any such policies and practices is required, the agency shall proceed to make the necessary modifications.

(b) The agency shall provide an opportunity to interested persons, including individuals with handicaps or organizations representing individuals with handicaps, to participate in the self-evaluation process by submitting comments (both oral and written).

(c) The agency shall, for at least three years following completion of the self-evaluation, maintain on file and make available for public inspection:

- (1) A description of areas examined and any problems identified; and
- (2) A description of any modifications made.

§ 102.111 Notice.

The agency shall make available to employees, applicants, participants, beneficiaries, and other interested persons such information regarding the provisions of this regulation and its applicability to the programs or activities conducted by the agency, and

make such information available to them in such manner as the head of the agency finds necessary to apprise such persons of the protections against discrimination assured them by section 504 and this regulation.

§§ 102.112—102.129 [Reserved]

§ 102.130 General prohibitions against discrimination.

(a) No qualified individual with handicaps shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted by the agency.

(b)(1) The agency, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of handicap—

(i) Deny a qualified individual with handicaps the opportunity to participate in or benefit from the aid, benefit, or service;

(ii) Afford a qualified individual with handicaps an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;

(iii) Provide a qualified individual with handicaps with an aid, benefit, or service that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others;

(iv) Provide different or separate aid, benefits, or services to individuals with handicaps or to any class of individuals with handicaps than is provided to others unless such action is necessary to provide qualified individuals with handicaps with aid, benefits, or services that are as effective as those provided to others;

(v) Deny a qualified individual with handicaps the opportunity to participate as a member of planning or advisory boards;

(vi) Otherwise limit a qualified individual with handicaps in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving the aid, benefit, or service.

(2) The agency may not deny a qualified individual with handicaps the op-

portunity to participate in programs or activities that are not separate or different, despite the existence of possibly separate or different programs or activities.

(3) The agency may not, directly or through contractual or other arrangements, utilize criteria or methods of administration the purpose or effect of which would—

(i) Subject qualified individuals with handicaps to discrimination on the basis of handicap; or

(ii) Defeat or substantially impair accomplishment of the objectives of a program or activity with respect to individuals with handicaps.

(4) The agency may not, in determining the site or location of a facility, make selections the purpose or effect of which would—

(i) Exclude individuals with handicaps from, deny them the benefits of, or otherwise subject them to discrimination under any program or activity conducted by the agency; or

(ii) Defeat or substantially impair the accomplishment of the objectives of a program or activity with respect to individuals with handicaps.

(5) The agency, in the selection of procurement contractors, may not use criteria that subject qualified individuals with handicaps to discrimination on the basis of handicap.

(6) The agency may not administer a licensing or certification program in a manner that subjects qualified individuals with handicaps to discrimination on the basis of handicap, nor may the agency establish requirements for the programs or activities of licensees or certified entities that subject qualified individuals with handicaps to discrimination on the basis of handicap. However, the programs or activities of entities that are licensed or certified by the agency are not, themselves, covered by this regulation.

(c) The exclusion of nonhandicapped persons from the benefits of a program limited by Federal statute or Executive order to individuals with handicaps or the exclusion of a specific class of individuals with handicaps from a program limited by Federal statute or Executive order to a different class of individuals with handicaps is not prohibited by this regulation.

(d) The agency shall administer programs and activities in the most integrated setting appropriate to the needs of qualified individuals with handicaps.

#### §§ 102.131—102.139 [Reserved]

#### § 102.140 Employment.

No qualified individual with handicaps shall, on the basis of handicap, be subject to discrimination in employment under any program or activity conducted by the agency. The definitions, requirements, and procedures of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791), as established by the Equal Employment Opportunity Commission in 29 CFR part 1613, shall apply to employment in federally conducted programs or activities.

#### § 102.141—102.148 [Reserved]

#### § 102.149 Program accessibility: Discrimination prohibited.

Except as otherwise provided in § 102.150, no qualified individual with handicaps shall, because the agency's facilities are inaccessible to or unusable by individuals with handicaps, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity conducted by the agency.

#### § 102.150 Program accessibility: Existing facilities.

(a) *General.* The agency shall operate each program or activity so that the program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with handicaps. This paragraph does not—

(1) Necessarily require the agency to make each of its existing facilities accessible to and usable by individuals with handicaps;

(2) In the case of historic preservation programs, require the agency to take any action that would result in a substantial impairment of significant historic features of an historic property; or

(3) Require the agency to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. In those circumstances where

agency personnel believe that the proposed action would fundamentally alter the program or activity or would result in undue financial and administrative burdens, the agency has the burden of proving that compliance with § 102.150(a) would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the agency head or his or her designee after considering all agency resources available for use in the funding and operation of the conducted program or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would result in such an alteration or such burdens, the agency shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with handicaps receive the benefits and services of the program or activity.

(b) *Methods*—(1) *General*. The agency may comply with the requirements of this section through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, use of accessible rolling stock, or any other methods that result in making its programs or activities readily accessible to and usable by individuals with handicaps. The agency is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section. The agency, in making alterations to existing buildings, shall meet accessibility requirements to the extent compelled by the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151-4157), and any regulations implementing it. In choosing among available methods for meeting the requirements of this section, the agency shall give priority to those methods that offer programs and activities to qualified individuals with handicaps in the most integrated setting appropriate.

(2) *Historic preservation programs*. In meeting the requirements of § 102.150(a) in historic preservation programs, the

agency shall give priority to methods that provide physical access to individuals with handicaps. In cases where a physical alteration to an historic property is not required because of § 102.150(a) (2) or (3), alternative methods of achieving program accessibility include—

(i) Using audio-visual materials and devices to depict those portions of an historic property that cannot otherwise be made accessible;

(ii) Assigning persons to guide individuals with handicaps into or through portions of historic properties that cannot otherwise be made accessible; or

(iii) Adopting other innovative methods.

(c) *Time period for compliance*. The agency shall comply with the obligations established under this section by November 7, 1988, except that where structural changes in facilities are undertaken, such changes shall be made by September 6, 1991, but in any event as expeditiously as possible.

(d) *Transition plan*. In the event that structural changes to facilities will be undertaken to achieve program accessibility, the agency shall develop, by March 6, 1989, a transition plan setting forth the steps necessary to complete such changes. The agency shall provide an opportunity to interested persons, including individuals with handicaps or organizations representing individuals with handicaps, to participate in the development of the transition plan by submitting comments (both oral and written). A copy of the transition plan shall be made available for public inspection. The plan shall, at a minimum—

(1) Identify physical obstacles in the agency's facilities that limit the accessibility of its programs or activities to individuals with handicaps;

(2) Describe in detail the methods that will be used to make the facilities accessible;

(3) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one year, identify steps that will be taken during each year of the transition period; and

(4) Indicate the official responsible for implementation of the plan.

**§ 102.151 Program accessibility: New construction and alterations.**

Each building or part of a building that is constructed or altered by, on behalf of, or for the use of the agency shall be designed, constructed, or altered so as to be readily accessible to and usable by individuals with handicaps. The definitions, requirements, and standards of the Architectural Barriers Act (42 U.S.C. 4151-4157), as established in 41 CFR 101-19.600 to 101-19.607, apply to buildings covered by this section.

**§§ 102.152—102.159 [Reserved]**

**§ 102.160 Communications.**

(a) The agency shall take appropriate steps to ensure effective communication with applicants, participants, personnel of other Federal entities, and members of the public.

(1) The agency shall furnish appropriate auxiliary aids where necessary to afford an individual with handicaps an equal opportunity to participate in, and enjoy the benefits of, a program or activity conducted by the agency.

(i) In determining what type of auxiliary aid is necessary, the agency shall give primary consideration to the requests of the individual with handicaps.

(ii) The agency need not provide individually prescribed devices, readers for personal use or study, or other devices of a personal nature.

(2) Where the agency communicates with applicants and beneficiaries by telephone, telecommunication devices for deaf persons (TDD's) or equally effective telecommunication systems shall be used to communicate with persons with impaired hearing.

(b) The agency shall ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities.

(c) The agency shall provide signage at a primary entrance to each of its inaccessible facilities, directing users to a location at which they can obtain information about accessible facilities.

The international symbol for accessibility shall be used at each primary entrance of an accessible facility.

(d) This section does not require the agency to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. In those circumstances where agency personnel believe that the proposed action would fundamentally alter the program or activity or would result in undue financial and administrative burdens, the agency has the burden of proving that compliance with § 102.160 would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the agency head or his or her designee after considering all agency resources available for use in the funding and operation of the conducted program or activity and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action required to comply with this section would result in such an alteration or such burdens, the agency shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that, to the maximum extent possible, individuals with handicaps receive the benefits and services of the program or activity.

**§§ 102.161—102.169 [Reserved]**

**§ 102.170 Compliance procedures.**

(a) Except as provided in paragraph (b) of this section, this section applies to all allegations of discrimination on the basis of handicap in programs and activities conducted by the agency.

(b) The agency shall process complaints alleging violations of section 504 with respect to employment according to the procedures established by the Equal Employment Opportunity Commission in 29 CFR part 1613 pursuant to section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791).

(c) The Director, Facilities Management, Office of Administration, Executive Office of the President, shall be responsible for coordinating implementation of this section. Complaints may be sent to the Director at the following



address: Room 486, Old Executive Office Building, 17th and Pennsylvania Ave. NW., Washington, DC 20500.

(d) The agency shall accept and investigate all complete complaints for which it has jurisdiction. All complete complaints must be filed within 180 days of the alleged act of discrimination. The agency may extend this time period for good cause.

(e) If the agency receives a complaint over which it does not have jurisdiction, it shall promptly notify the complainant and shall make reasonable efforts to refer the complaint to the appropriate Government entity.

(f) The agency shall notify the Architectural and Transportation Barriers Compliance Board upon receipt of any complaint alleging that a building or facility that is subject to the Architectural Barriers Act of 1968, as amended (42 U.S.C. 4151-4157), is not readily accessible to and usable by individuals with handicaps.

(g) Within 180 days of the receipt of a complete complaint for which it has jurisdiction, the agency shall notify the complainant of the results of the investigation in a letter containing—

(1) Findings of fact and conclusions of law;

(2) A description of a remedy for each violation found; and

(3) A notice of the right to appeal.

(h) Appeals of the findings of fact and conclusions of law or remedies must be filed by the complainant within 90 days of receipt from the agency of the letter required by §102.170(g). The agency may extend this time for good cause.

(i) Timely appeals shall be accepted and processed by the head of the agency.

(j) The head of the agency shall notify the complainant of the results of the appeal within 60 days of the receipt of the request. If the head of the agency determines that additional information is needed from the complainant, he or she shall have 60 days from the date of receipt of the additional information to make his or her determination on the appeal.

(k) The time limits cited in paragraphs (g) and (j) of this section may be extended with the permission of the Assistant Attorney General.

(l) The agency may delegate its authority for conducting complaint investigations to other Federal agencies, except that the authority for making the final determination may not be delegated to another agency.

§§ 102.171—102.999 [Reserved]

# Title 3 Finding Aids

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6849	Nov. 9 .....	Thanksgiving Day, 1995 .....	57311
6850	Nov. 15 .....	National Great American Smokeout Day, 1995 .....	57813
6851	Nov. 15 .....	National Farm-City Week, 1995 .....	57815
6852	Nov. 15 .....	National Family Week, 1995 .....	57817
6853	Nov. 30 .....	National Drunk and Drugged Driving Prevention Month, 1995.	62185
6854	Nov. 30 .....	World AIDS Day, 1995 .....	62187
6855	Dec. 5 .....	Human Rights Day, Bill of Rights Day, and Human Rights Week, 1995.	62979
6856	Dec. 6 .....	National Pearl Harbor Remembrance Day, 1995 ...	63389
6857	Dec. 11 .....	To Modify the Harmonized Tariff Schedule of the United States, To Provide Rules of Origin Under the North American Free Trade Agree- ment for Affected Goods, and for Other Pur- poses.	64817
6858	Dec. 13 .....	Wright Brothers Day, 1995 .....	65015
6859	Dec. 13 .....	To Modify the Tariff-Rate Quota on Italian-Type Cheeses From Poland.	65233



## Table 2—EXECUTIVE ORDERS

No.	Signature Date	Subject	60 FR Page
<b>1985</b>			
12945	Jan. 20 .....	Amendment to Executive Order No. 12640 .....	4527
12946	Jan. 20 .....	President's Advisory Board on Arms Proliferation Policy.	4829
12947	Jan. 23 .....	Prohibiting Transactions With Terrorists Who Threaten To Disrupt the Middle East Peace Process.	5079
12948	Jan. 30 .....	Amendment to Executive Order No. 12898 .....	6381
12949	Feb. 9 .....	Foreign Intelligence Physical Searches .....	8169
12950	Feb. 22 .....	Establishing an Emergency Board To Investigate a Dispute Between Metro North Commuter Railroad and Its Employees Represented by Certain Labor Organizations.	10475
12951	Feb. 22 .....	Release of Imagery Acquired by Space-Based National Intelligence Reconnaissance Systems.	10789
12952	Feb. 24 .....	Amendment to Executive Order No. 12950 .....	11011
12953	Feb. 27 .....	Actions Required of All Executive Agencies To Facilitate Payment of Child Support.	11013
12954	Mar. 8 .....	Ensuring the Economical and Efficient Administration and Completion of Federal Government Contracts.	13023
12955	Mar. 9 .....	Nuclear Cooperation With EURATOM .....	13365
12956	Mar. 13 .....	Israel-United States Binational Industrial Research and Development Foundation.	14199
12957	Mar. 15 .....	Prohibiting Certain Transaction With Respect to the Development of Iranian Petroleum Resources.	14615
12958	Apr. 17 .....	Classified National Security Information .....	19825
12959	May 6 .....	Prohibiting Certain Transactions With Respect to Iran.	24757
12960	May 12 .....	Amendments to the Manual for Courts-Martial, United States, 1984.	26647
12961	May 26 .....	Presidential Advisory Committee on Gulf War Veterans' Illnesses.	28507
12962	June 7 .....	Recreational Fisheries .....	30769
12963	June 14 .....	Presidential Advisory Council on HIV/AIDS .....	31905
12964	June 21 .....	Commission on United States-Pacific Trade and Investment Policy.	33095
12965	June 27 .....	Further Amendment to Executive Order No. 12852.	34087
12966	July 14 .....	Foreign Disaster Assistance .....	36949
12967	July 31 .....	Establishing an Emergency Board To Investigate Disputes Between Metro North Commuter Railroad and Its Employees Represented by Certain Labor Organizations.	39823
12968	Aug. 2 .....	Access to Classified Information .....	40245



### Title 3—The President

No.	Signature Date	Subject	60 FR Page
	<b>1995</b>		
12969	Aug. 8 .....	Federal Acquisition and Community Right-To-Know.	40989
12970	Sept. 14 .....	Further Amendment to Executive Order No. 12864.	48359
12971	Sept. 15 .....	Amendment to Executive Order No. 12425 .....	48617
12972	Sept. 18 .....	Amendment to Executive Order No. 12958 .....	48863
12973	Sept. 27 .....	Amendment to Executive Order No. 12901 .....	51665
12974	Sept. 29 .....	Continuance of Certain Federal Advisory Committees.	51875
12975	Oct. 3 .....	Protection of Human Research Subjects and Creation of National Bioethics Advisory Commission.	52063
12976	Oct. 5 .....	Compensation Practices of Government Corporations.	52829
12977	Oct. 19 .....	Interagency Security Committee .....	54411
12978	Oct. 21 .....	Blocking Assets and Prohibiting Transactions With Significant Narcotics Traffickers.	54579
12979	Oct. 25 .....	Agency Procurement Protests .....	55171
12980	Nov. 17 .....	Further Amendment to Executive Order No. 12852, as Amended.	57819
12981	Dec. 5 .....	Administration of Export Controls .....	62981
12982	Dec. 8 .....	Ordering the Selected Reserve of the Armed Forces to Active Duty.	63895
12983	Dec. 21 .....	Amendment to Executive Order No. 12871 .....	66855

No.	Signature Date	Subject	61 FR Page
	<b>1995</b>		
12984	Dec. 28 .....	Adjustments of Certain Rates of Pay and Allowances.	237

## Table 3—OTHER PRESIDENTIAL DOCUMENTS

Signature Date	Subject	60 FR Page
<b>1995</b>		
Jan. 4 .....	Memorandum: Delegation of Authority Under Section 527(b) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.	3335
Feb. 6 .....	Message to Congress transmitting budget rescissions .....	8842
Feb. 6 .....	Presidential Determination No. 95-14; Use of Peacekeeping Operations Account Funds for Enforcing the Serbia and Montenegro Sanctions Program.	8521
Feb. 7 .....	Memorandum: Deterring Illegal Immigration .....	7885
Feb. 15 ....	Memorandum: Delegation of Responsibilities Under Section 1205(d) and 1207(c) of Title XII of Public Law 103-337.	10791
Feb. 16 ....	Memorandum: Delegation of Certain Presidential Authorities Under the Foreign Assistance Act of 1961 and Related Appropriations Legislation.	10793
Feb. 22 ....	Message to Congress transmitting revised budget deferral and revised rescissions.	12636
Feb. 28 ....	Presidential Determination No. 95-15: Certifications for Major Narcotics Producing and Transit Countries.	12859
Mar. 2 .....	Memorandum .....	12393
Mar. 13 ....	Presidential Determination No. 95-16: Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended.	15227
Mar. 16 ....	Presidential Determination No. 95-17: Drawdown of Commodities and Services From the Inventory and Resources of the Department of Defense To Support Activities of the Palestinian Police Force.	16035
Apr. 4 .....	Memorandum: Delegation of Authority Under Section 106 of the International Narcotics Control Corrections Act of 1994 (Public Law 103-447).	19153
Apr. 14 ....	Memorandum: Certification Regarding Use of the Exchange Stabilization Fund and Federal Reserve in Relation to the Economic Crisis in Mexico.	19485
Apr. 21 ....	Memorandum: Regulatory Reform—Waiver of Penalties and Reduction of Reports.	20621
Apr. 21 ....	Presidential Determination No. 95-18: Determination Under Section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as Amended: People's Republic of China.	22447
Apr. 21 ....	Presidential Determination No. 95-19: Determination Under Section 2(b)(2)(D) of the Export-Import Bank Act of 1945, as Amended: People's Republic of China.	22449
May 1 .....	Presidential Determination No. 95-20: Suspending Prohibitions on Certain Sales and Leases Under the Anti-Economic Discrimination Act of 1994.	22245
May 2 .....	Message to Congress transmitting budget rescissions .....	24692
May 10 ....	Notice: Continuation of Emergency With Respect to the Federal Republic of Yugoslavia (Serbia and Montenegro) and the Bosnian Serbs.	25599

### Title 3—The President

Signature Date	Subject	60 FR Page
<b>1995</b>		
May 16 ....	Presidential Determination No. 95-21: Transfer of \$3.0 Million in FY 1995 Economic Support Funds to the Peacekeeping Operations Account To Support African Peacekeeping Efforts in Liberia.	28699
May 17 ....	Memorandum: Certification Regarding Use of the Exchange Stabilization Fund and Federal Reserve in Relation to the Economic Crisis in Mexico.	27395
May 19 ....	Memorandum: Delegation of Responsibilities Under Section 509 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236).	27663
May 19 ....	Presidential Determination No. 95-22: Presidential Determination Under Subsections 402(a) and 409(a) of the Trade Act of 1974, as Amended—Emigration Policies of the Republic of Romania.	29463
June 2 .....	Presidential Determination No. 95-23: Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority.	31047
June 2 .....	Presidential Determination No. 95-24: Determination Under Subsection 402(d)(1) of the Trade Act of 1974, as Amended—Continuation of Waiver Authority.	31049
June 5 .....	Presidential Determination No. 95-25: Assistance Program for New Independent States of the Former Soviet Union.	31051
June 6 .....	Memorandum: Delegation of Certain Presidential Authorities Under the African Conflict Resolution Act of 1994.	30771
June 8 .....	Presidential Determination No. 95-26: Certification To Permit U.S. Contributions to the International Fund for Ireland for Fiscal Years 1994 and 1995.	32421
June 23 ....	Presidential Determination No. 95-27: Certifications of Jordan Under Section 130(c) of the International Security and Development Cooperation Act of 1985.	35461
June 23 ....	Presidential Determination No. 95-28: Drawdown of the Commodities and Services from the Inventory and Resources of the Departments of Defense, Justice, Treasury and State To Support Accelerated Training and Equipping of Haitian Police Forces.	35463
June 28 ....	Presidential Determination No. 95-29: Determination To Authorize the Furnishing of Emergency Military Assistance in Support of the Rapid Reaction Force in Bosnia Under Section 506(a)(1) of the Foreign Assistance Act.	35465
June 29 ....	Memorandum: Certification Regarding Use of the Exchange Stabilization Fund and Federal Reserve in Relation to the Economic Crisis in Mexico.	35113
July 2 .....	Presidential Determination No. 95-31: Suspending Restrictions on U.S. Relations With the Palestine Liberation Organization.	35827
July 28 .....	Notice: Continuation of Iraqi Emergency .....	39099
July 28 .....	Presidential Determination No. 95-32: Eligibility of Angola To Be Furnished Defense Articles and Services Under the Foreign Assistance Act and the Arms Export Control Act.	40255
July 31 .....	Presidential Determination No. 95-33: Determination To Authorize the Furnishing of Emergency Military Assistance to the United Nations for Purposes of Supporting the Rapid Reaction Force in Bosnia Under Section 506(a)(1) of the Foreign Assistance Act.	40257

**Table 3—Other Presidential Documents**

Signature Date	Subject	50 FR Page
<b>1995</b>		
Aug. 3 .....	Presidential Determination No. 95-34: Determination To Authorize the Furnishing of Emergency Military Assistance to the United Nations for Purposes of Supporting the Rapid Reaction Force in Bosnia Under Section 506(a)(1) of the Foreign Assistance Act.	44721
Aug. 8 .....	Memorandum: Expediting Community Right-to-Know Initiatives.	41791
Aug. 10 ...	Memorandum: Facilitating Access to Federal Property for the Siting on Mobile Services Antennas.	42023
Aug. 10 ...	Presidential Determination No. 95-35: Presidential Determination Under Section 1542(f) of the Food, Agriculture, Conservation and Trade Act of 1990, as Amended—Emerging Democracies.	44723
Aug. 14 ...	Presidential Determination No. 95-36: Suspending Restrictions on U.S. Relations With the Palestine Liberation Organization.	44725
Aug. 15 ...	Notice: Continuation of Emergency Regarding Export Control Regulations.	42767
Aug. 22 ...	Presidential Determination No. 95-38: Eligibility for Mongolia To Be Furnished Defense Articles and Services Under the Foreign Assistance Act and the Arms Export Control Act.	50069
Aug. 25 ...	Memorandum: Delegation of Authority To Issue Guidelines and Instructions to Federal Agencies on Consulting With State, Local, and Tribal Governments.	45039
Sept. 1 .....	Presidential Determination No. 95-40: Use of International Organizations and Programs Account Funds for an Initial U.S. Contribution to the Korean Peninsula Energy Development Organization (KEDO).	50071
Sept. 8 .....	Presidential Determination No. 95-41: Extension of the Exercise of Certain Authorities Under the Trading With the Enemy Act.	47659
Sept. 8 .....	Message to Congress transmitting revised budget deferral ....	48604
Sept. 18 ...	Notice: Continuation of Emergency With Respect to UNITA	48621
Sept. 18 ...	Presidential Determination No. 95-43: Drawdown of Commodities and Services From the Inventory and Resources of the Department of the Treasury To Support Sanctions Enforcement Efforts Against Serbia and Montenegro.	50073
Sept. 20 ...	Presidential Determination No. 95-44: Determination Pursuant to Section 2(c)(1) of the Migration and Refugee Assistance Act of 1962, as Amended.	50075
Sept. 28 ...	Presidential Determination No. 95-49: Immigration Emergency Resulting From Alien Smuggling by Organized Crime.	53677
Sept. 29 ...	Memorandum: Delegation of Authority Under Section 103(a) of the North American Free Trade Agreement Implementation Act and Section 115 of the Uruguay Round Agreements Act.	52061
Sept. 29 ...	Presidential Determination No. 95-45: Presidential Determination on Classified Information Concerning the Air Force's Operating Location Near Groom Lake, Nevada.	52823
Sept. 29 ...	Presidential Determination No. 95-46: Loan Guarantee to Israel Program.	53087

### Title 3—The President

Signature Date	Subject	60 FR Page
<b>1995</b>		
Sept. 29 ...	Presidential Determination No. 95-47: Transfer of \$2.8 Million in FY 1995 Foreign Military Financing Funds to the Economic Support Fund for El Salvador.	53089
Sept. 29 ...	Presidential Determination No. 95-48: Presidential Determination on FY 1996 Refugee Admissions Numbers and Authorizations of In-Country Refugee Status Pursuant to Sections 207 and 101(a)(42), Respectively, of the Immigration and Nationality Act, and Determination Pursuant to Section 2(b)(2) of the Migration and Refugee Assistance Act, as Amended.	53091
Sept. 30 ...	Presidential Determination No. 95-50: Suspending Restrictions on U.S. Relations With the Palestine Liberation Organization.	53093
Oct. 2 .....	Memorandum: Federal Employee Domestic Violence Awareness Campaign.	52821
Oct. 3 .....	Memorandum: Delegation of Authority Under the Assignment of Claims Act.	52289
Oct. 10 ...	Memorandum: Delegation of Authority To Enter Into Mutual Waivers of Liability for Certain Agreements Under the National Aeronautics and Space Act of 1958.	53251
Oct. 13 ....	Order: National Security Information .....	53845
Oct. 19 ....	Message to Congress transmitting budget deferrals .....	55154
Oct. 31 ....	Notice: Continuation of Iran Emergency .....	55651
Nov. 1 .....	Presidential Determination 96-4: Presidential Determination on the Proposed Agreement for Cooperation in the Peaceful Uses on Nuclear Energy Between the United States of America and the European Atomic Energy Community (EURATOM).	56931
Nov. 8 .....	Notice: Continuation of Emergency Regarding Weapons of Mass Destruction.	57137
Nov. 13 ...	Presidential Determination No. 96-5: Suspending Restrictions on U.S. Relations With the Palestine Liberation Organization.	57821.
Dec. 6 .....	Memorandum: Delegation of Authority Under Section 321(c) of the North American Free Trade Agreement Implementation Act.	63391
Dec 6 .....	Presidential Determination No. 96-6: Assistance Program for New Independent States of the Former Soviet Union.	65505

Signature Date	Subject	61 FR Page
<b>1995</b>		
Dec. 27 ....	Presidential Determination No. 96-7: Presidential Certification To Suspend Sanctions Imposed on the Federal Republic of Yugoslavia (Serbia and Montenegro).	2887

## Table 4—PRESIDENTIAL DOCUMENTS AFFECTED DURING 1995

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**Editorial note:** The following abbreviations are used in this table:

EO .....	Executive Order
FR .....	Federal Register
PLO .....	Public Land Order (43 CFR, Appendix to Chapter II)
Proc. ....	Proclamation
Pub. L. ....	Public Law
Stat. ....	U.S. Statutes at Large

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### Proclamations

<i>Date or Number</i>	<i>Comment</i>
5759 .....	See Proc. 6763
6343 .....	Amended by Proc. 6821
6455 .....	See Proc. 6763
6641 .....	See Proc. 6763
	Modified by Proc. 6821
6726 .....	See Proc. 6763
6763 .....	Modified by Proc. 6780
	Modified by Proc. 6804
	Modified by Proc. 6821
6767 .....	Modified by Proc. 6804
6778 .....	Corrected (60 FR 25266)

### Executive Orders

<i>Date or Number</i>	<i>Comment</i>
Feb. 1, 1886 .....	Revoked in part by PLO 7148 (60 FR 36736)
July 7, 1910 .....	Revoked in part by PLO 7159 (60 FR 47874)
July 9, 1910 .....	Revoked in part by PLO 7153 (60 FR 42067)
Oct. 8, 1914 .....	Revoked in part by PLO 7116 (60 FR 10029)
Nov. 24, 1916 .....	Revoked in part by PLO 7121 (60 FR 12886)

### Title 3—The President

#### Executive Orders—Continued

<i>Date or Number</i>	<i>Comment</i>
Apr. 13, 1917 .....	Revoked in part by PLO 7159 (60 FR 47874)
Feb. 25, 1919 .....	Revoked in part by PLO 7171 (60 FR 57192)
Apr. 17, 1926 .....	Revoked in part by PLO 7115 (60 FR 8956)
	Revoked in part by PLO 7134 (60 FR 19525)
2067 .....	Revoked in part by PLO 7130 (60 FR 16585)
3410 .....	Revoked in part by PLO 7129 (60 FR 16584)
4410 .....	Revoked in part by PLO 7165 (60 FR 52864)
5327 .....	Revoked in part by PLO 7128 (60 FR 16384)
5327 .....	Modified by PLO 7158 (60 FR 44764)
5907 .....	Revoked in part by PLO 7172 (60 FR 57192)
11145 .....	Continued by EO 12974
11183 .....	Continued by EO 12974
11287 .....	Continued by EO 12974
11776 .....	Continued by EO 12974
11871 .....	Continued by EO 12974
11876 .....	Continued by EO 12974
12131 .....	Continued by EO 12974
12163 .....	See Memorandum of Feb. 16, p. 442
12170 .....	See Notice of Oct. 31, p. 515
12196 .....	Continued by EO 12974
12216 .....	Continued by EO 12974
12345 .....	Continued by EO 12974
12356 .....	Revoked in part by EO 12958
12367 .....	Continued by EO 12974
12382 .....	Continued by EO 12974
12425 .....	Amended by EO 12971
12473 .....	See EO 12960
12484 .....	See EO 12960
12550 .....	See EO 12960
12586 .....	See EO 12960
12613 .....	Revoked in part by EO 12959
12640 .....	Amended by EO 12945
12708 .....	See EO 12960
12722 .....	See Notice of July 28, p. 494
12724 .....	See Notice of July 28, p. 494
12767 .....	See EO 12960
12826 .....	Superseded by EO 12944
12844 .....	Revoked in part by EO 12974
12852 .....	Amended by EO 12965
	Amended by EO 12980

# Table 4—Presidential Documents Affected

## Executive Orders—Continued

<i>Date or Number</i>	<i>Comment</i>
12864 .....	Amended by EO 12970
12865 .....	Continued by Notice of Sept. 8, p. 504
12869 .....	Superseded by EO 12974
12871 .....	Amended by EO 12983
12878 .....	Revoked by EO 12974
12882 .....	Continued by EO 12974
12886 .....	Superseded by EO 12944
12887 .....	See EO 12974
12886 .....	See EO 12960
12898 .....	Amended by EO 12948
12900 .....	Continued by EO 12974
12901 .....	Amended by EO 12973
	Amended by EO 12974
12903 .....	Superseded by EO 12955
12905 .....	Continued by EO 12974
12912 .....	See EO 12974
12924 .....	Continued by Notice of Aug. 15, p. 501
12936 .....	See EO 12960
12938 .....	See Notice of Nov. 8, p. 516
12950 .....	Amended by EO 12952
12957 .....	Revoked in part by EO 12959
12958 .....	Amended by EO 12972; See Order of Oct. 13, p. 513





## Table 5—STATUTES CITED AS AUTHORITY FOR PRESIDENTIAL DOCUMENTS

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**Editorial note:** Statutes which were cited as authority for the issuance of Presidential documents contained in this volume are listed under one or more of these headings. For authority cites for hortatory proclamations, see the text of each proclamation:

**Short Title of Act**  
**United States Statutes at Large**  
**United States Code**  
**Public Laws**

Citations have been set forth in the style in which they appear in the documents. Since the form of citations varies from document to document, users of this table should search under all headings for pertinent references.

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### Short Title of Act

<i>Title</i>	<i>Presidential Document</i>
Anglo-Irish Agreement Support Act of 1986 (Sec. 5(c)).	Presidential Determination No. 95-26, p. 483
Arms Export Control Act (Sec. 3(a)(1)) .	Presidential Determination Nos. 95-32, p. 495; 95-38, p. 502
Atomic Energy Act of 1954, as amended	
Sec. 126a .....	EO 12955
Sec. 126b .....	Presidential Determination No. 96-4, p. 515
Bus Regulatory Reform Act of 1992 .....	Memorandum of Mar. 2, p. 470
Emergency Planning and Community Right-to-Know Act of 1986.	EO 12969; Memorandum of Aug. 8, p. 497
Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995 (Sec. 406).	Memorandums of Apr. 14, p. 472; May 17, p. 479; June 29, p. 492
Export-Import Bank Act of 1945, as amended (Sec. 2(b)(2)(D)).	Presidential Determination Nos. 95-18, p. 476; 95-19, p. 476
Federal Advisory Committee Act, as amended.	EOs 12964, 12974

### Title 3—The President

#### Short Title of Act—Continued

<i>Title</i>	<i>Presidential Document</i>
Federal Advisory Committee Act, as amended (except that Sec. 10, Subsecs. (e) and (f) do not apply).	EO 12946
Fish and Wildlife Act of 1956 .....	EO 12962
Fish and Wildlife Coordination Act .....	EO 12962
Food, Agriculture, Conservation and Trade Act of 1990 (Sec. 1542(f)).	Presidential Determination No. 95-35, p. 500
Foreign Assistance Act of 1961, as amended	
Sec. 226(b) .....	Presidential Determination No. 95-46, p. 507
Sec. 490(b)(1)(A)–(B) .....	Presidential Determination No. 95-15, p. 443
Sec. 503(a) .....	Presidential Determination No. 95-32, p. 495
Sec. 503(a)(1) .....	Presidential Determination No. 95-38, p. 502
Sec. 506(a)(1) .....	Presidential Determination Nos. 95-29, p. 492; 95-33 p. 496; 95-34, p. 497
Sec. 552(c)(2) .....	Presidential Determination Nos. 95-17, p. 471; 95-28, p. 491; 95-43, p. 504
Sec. 610(a) .....	Presidential Determination Nos. 95-21, p. 478; 95-47, p. 508
Sec. 614(a)(1) .....	Presidential Determination Nos. 95-14, p. 436; 95-40, p. 503; 95-46, p. 507
Foreign Intelligence Surveillance Act of 1978 (Secs. 302 and 303).	EO 12949
Foreign Operations, Export Financing, and Related Appropriations Act, 1994 (Sec. 577).	Presidential Determination Nos. 95-25, p. 482; 96-6, p. 517
Foreign Relations Authorization Act, Fiscal Years 1994 and 1995	
Title V, part E .....	Presidential Determination Nos. 95-31, p. 493; 95-36, p. 500; 95-50, p. 510; 96-5, p. 516
Sec. 564 .....	Presidential Determination No. 95-20, p. 476
Immigration and Nationality Act	
Sec. 207 .....	Presidential Determination No. 95-48, p. 509
Sec. 404(b)(1) .....	Presidential Determination No. 95-49, p. 505
International Emergency Economic Powers Act.	EOs 12947, 12957, 12959, 12978, 12981
International Narcotics Control Corrections Act of 1994 (Sec. 106).	Memorandum of Apr. 4, p. 471
International Organizations Immunities Act.	EO 12956

**Table 5—Statutes Cited As Authority**

**Short Title of Act—Continued**

<i>Title</i>	<i>Presidential Document</i>
<b>International Security and Development Cooperation Act of 1985</b>	
Sec. 130(c)) .....	Presidential Determination No. 95-27, p. 490
Sec. 505 .....	EO 12959
<b>Magnuson Fishery Conservation and Management Act.</b>	EO 12962
<b>Middle East Peace Facilitation Act of 1994, Fiscal Years 1994 and 1995.</b>	Presidential Determination Nos. 95-31, p. 493; 95-36, p. 500 95-50, p. 510; 96-5, p. 516
<b>Migration and Refugee Assistance Act of 1962, as amended (Sec. 2(c)(1)).</b>	Presidential Determination Nos. 95-16, p. 470; 95-44, p. 505
<b>National Defense Authorization Act for Fiscal Year 1994</b>	
Sec. 1511(e)(2) .....	Presidential Determination No. 96-7, p. 520
Sec. 1601 .....	EO 12946
<b>National Defense Authorization Act for Fiscal Year 1995.</b>	EO 12966
<b>National Emergencies Act</b>	
<i>Citation to act as a whole</i> .....	EOs 12947, 12957, 12559, 12978
Sec. 202(d) .....	Notices of May 10, p. 477; July 28, p. 494; Aug. 15, p. 501; Sept. 18, p. 504; Oct. 31, p. 515; Nov. 8, p. 516
<b>National Environmental Policy Act of 1969.</b>	EO 12962
<b>North American Free Trade Implementation Act</b>	
Sec. 103(a) .....	Memorandum of Sept. 29, p. 506
Secs. 201, 202) .....	Proc. 6857
<b>Omnibus Trade and Competitiveness Act of 1988, as amended</b>	
Sec. 1102 .....	Procs. 6780, 6857; EO 6857
Secs. 1205, 1206 .....	Procs. 6857; EO 6857
<b>Pollution Prevention Act of 1990 .....</b>	EO 12969; Memorandum of Aug. 8, p. 497
<b>Railway Labor Act, as amended (Sec. 9A).</b>	EOs 12950, 12967
<b>Rehabilitation Act of 1973 .....</b>	EO 12945
<b>Trade Act of 1974, as amended</b>	
<i>Citation to act as a whole</i> .....	Presidential Determination No. 95-23, p. 481
Sec. 125 .....	Proc. 6821
Sec. 141 .....	EO 12973
Sec. 301-310 .....	EO 12973
Sec. 402(a) .....	Presidential Determination No. 95-22, p. 480
Sec. 402(d)(1) .....	Presidential Determination Nos. 95-23, p. 481; 95-24, p. 481

### Title 3—The President

#### Short Title of Act—Continued

<i>Title</i>	<i>Presidential Document</i>
Trade Act of 1974, as amended— <i>Continued</i>	
Sec. 409(a) .....	Presidential Determination No. 95–22, p. 480
Sec. 501 .....	Procs. 6767, 6778, 6813
Sec. 502 .....	Procs. 6767, 6778, 6813
Sec. 504 .....	Procs. 6767, 6804, 6813
Sec. 604 .....	Procs. 6767, 6778, 6780, 6804, 6813, 6821, 6857, 6859
Trade Agreements Act of 1979, as amended (Sec. 491).	Proc. 6780
Unfunded Mandates Reform Act of 1995.	Memorandum of Aug. 25, p. 502
Uniform Code of Military Justice .....	EO 12960
Uruguay Round Agreements Act, Title I .....	Proc. 6780
Sec. 111(a) .....	Proc. 6857
Sec. 115 .....	Memorandum of Sept. 29, p. 506
Sec. 404 .....	Proc. 6780
Sec. 404(d)(3) .....	Proc. 6859
Secs. 421, 422(c), and 423 .....	Proc. 6821

#### United States Statutes at Large

<i>Statutes Citation</i>	<i>Presidential Document</i>
88 Stat. 1978 .....	Presidential Determination No. 95–23, p. 481

#### United States Code

<i>U.S. Code Citation</i>	<i>Presidential Document</i>
2 U.S.C. 31 .....	EO 12984
3 U.S.C. 104 .....	EO 12984
3 U.S.C. 301 .....	Procs. 6780, 6821; EOs 12946, 12947, 12953, 12954, 12957, 12959, 12966, 12969, 12976, 12978; Memorandums of Jan. 4, p. 435; Feb. 15, p. 442; Feb. 16, p. 442; Apr. 4, p. 471; Apr. 14, p. 472; May 17, p. 479; May 19, p. 480; June 6, p. 482; June 29, p. 492; Aug. 25, p. 502; Sept. 29, p. 506; Oct. 3, p. 512; Dec. 6, p. 520
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42 U.S.C. 2155(a)(2) .....	EO 12955
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49 U.S.C. 10922(l)(1) and (2) .....	Memorandum of Mar. 2, p. 470
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# LIST OF CFR SECTIONS AFFECTED

**Editorial note:** All changes in Chapter I of this volume of the *Code of Federal Regulations* which were made by documents published in the **Federal Register** since January 1, 1986, are enumerated in the following list. Entries indicate the nature of the changes effected. Page numbers refer to **Federal Register** pages. The user should consult the entries for chapters and parts as well as sections for revisions.

For the period before January 1, 1986, see the "List of CFR Sections Affected, 1949–1963, 1964–1972, and 1973–1985" published in seven separate volumes.

Presidential documents affected during 1995 are set forth in Table 4 on page 557.

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# CFR Finding Aids

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**Editorial note:** A list of CFR titles, subtitles, chapters, subchapters, and parts, and an alphabetical list of agencies publishing in the CFR are included in the *CFR Index and Finding Aids* volume to the *Code of Federal Regulations*, which is published separately and revised annually as of January 1.

The two finding aids on the following pages, the “Table of CFR Titles and Chapters” and the “Alphabetical List of Agencies Appearing in the CFR” apply to all 50 titles of the *Code of Federal Regulations*. Reference aids specific to this volume appear in the section entitled “Title 3 Finding Aids,” found on page 545.



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